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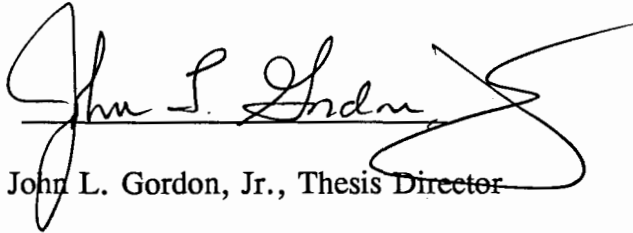
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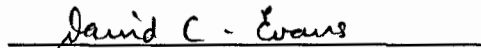
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A handwritten signature in cursive script, reading "John L. Gordon, Jr.", written over a horizontal line. The signature is fluid and includes a large, sweeping flourish at the end.

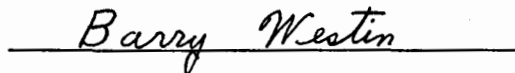
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Professor of History

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Barry R. Westin

Professor of History

CANADIAN FEDERAL POLICY TOWARDS INDIAN EDUCATION  
SINCE CONFEDERATION:  
POLICY MAKING AND ITS PHILOSOPHY

By

LING YANG

B. A., Yunnan Teachers University, 1982

M. A., Yunnan Teachers University, 1988

A Thesis

Submitted to the Graduate Faculty

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in Candidacy

for the degree of

MASTER OF ARTS

in

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## ABSTRACT

"Canadian Federal Policy Towards Indian Education Since Confederation: Policy Making and Its Philosophy," by Ling Yang, University of Richmond, M.A. in History, August 1991, directed by Dr. John L. Gordon, Jr.

Canadian Indian education is a complex problem in Canada's history. For the native people, education is the only way to preserve their cultural tradition. For the government, it has been the main means to assimilate the natives into the mainstream of the society. Because the majority culture has dominated Canadian society for more than two centuries, the Canadian federal government's policy and its making are the keys to understanding Indian education. Based on research in official records in the National Archives of Canada and field-research in Canadian Indian Reserves, this thesis shows that the federal government did not accept "Indian control of Indian education" as the main principle of their policy making until the 1970s. The thesis consists of a survey of Indian education history, a discussion of the basic law pertaining to Indian affairs, an analysis of legislation regarding Indian education, a discussion of continuing issues raised in the research, and a short conclusion.

## PREFACE

When I was a young girl in elementary school, I dreamed that someday I would have an opportunity to learn about foreign cultures and their histories. Because of my Chinese political background, I knew there was a long distance between my dreams and reality. The Chinese government classified every citizen on the basis of his or her specific economic and political situation. My father was a businessman before 1950, which meant that I fell into a lower class category. Therefore, I could not enjoy an equality of opportunity with those who came from a more favored class such as the revolutionary cadres (officers of the government or military services), gong 工 (workers), nong 农 (peasants), or bing 兵 (soldiers). When the Cultural Revolution began, I had not yet finished my studies in middle school, which is the equivalent of an American high school. Like most young students, I was assigned to labor in the countryside. I worked at a rubber plantation for three years. Later, I did technical work in a factory. The Chinese government called this "re-education," but I wanted real education, not labor. From 1966 to 1978, I changed jobs three times, but I could not gain admittance to any university. To improve my chances I decided to learn English by myself. Since no school would admit me, the only opportunity was Special English, a program of Voice of America (VOA), and two Chinese friends, Mr. Di Hua-yu and Mrs. Qing

Qian-ying, who were English professors before the Cultural Revolution. They helped me improve my grammar and pronunciation. But the most important present they gave me was encouragement. They always told me, "Never give up. Keep your faith for a bright future."

In order to continue my self-education, I had to keep a full time job during the daytime (six days, or 48 hours per week) and saw my teachers three times per week during evenings. Meanwhile, I took care of my mother who had been ill for more than twenty years. For a long time, entertainment did not appeal to me, as there was never enough time in the day for me to truly relax. My friends gave me the nickname of "Standard Clock" since I always had a very tight time schedule. Life was not easy. I had to prove that I deserved to be on an equal footing with other more favored Chinese. I do not mind hard work, but mine was a lonely and anguished struggle.

Finally in March of 1978, I began my undergraduate study in a university and obtained my B.A. in March of 1982. In June of 1988, I finished my graduate study in Yunnan Teachers University and obtained my first M.A. in China. Later, after a three-year wait, I was able to come to the United States and the University of Richmond. I owe much to Mr. & Mrs. P. S. Chu, my sponsors; Dr. John Israel, history professor of the University of Virginia; Dr. Hugh A. West, the Dean of Graduate Studies at the University of Richmond; and Dr. John L. Gordon,

Jr., Chair of the Department of History at the University of Richmond.

On New Year's Day of 1989 I started my new life in the United States and began my studies in Richmond. My surroundings changed, but one thing inside of me did not change. I still dreamed that I would visit native Americans and learn more about their origins, history, and culture. In May 1990, with the support of a research grant from the Graduate School of Arts and Sciences of the University of Richmond, I drove my old Buick northward to Canada. My dream came true.

For the subject of my master's thesis, I have chosen Canadian federal policy towards Indian education. I chose this subject because I believe any government, no matter what kind of political ideology it favors, has a fundamental obligation to work for the people. When the earliest governments emerged, they usually represented the interests of specific and limited groups of people. In the modern era, the implementation of government policies has affected the whole development process, particularly with regard to minority cultural and ethnic groups. Early in the 1980s when Charles Vert Willie discussed group action, he pointed out that if there are dominant and subordinate ethnic groups in a muticultural society, cultural domination and subdomination raise the question, "Whose responsibility is it to break the



cycle of negative adaptation that stimulates each other?"<sup>1</sup>

In the case of Canadian Indian education policy, for a long time the white majority dominated federal policy making. The impact of their policy went far beyond Indian education and influenced Indian economic, political, and social development. Obviously, the education of the Indians is connected to their economic and political circumstances, and these have hampered their education. Poor educational practices weakened Canadian Indians politically, economically, and psychologically. This critical situation in Indian communities finally caused a major social problem, which Canadians called the "Indian Problem."

The history of Canadian Indian education poses many complex issues, in particular three. First, what has been the relationship between the Indian economy and Indian education? The poverty of the Indians, who are even today struggling for survival, precludes their developing a good educational system. Second, what is the proper relationship between the majority and minority cultures? The Indians were the first inhabitants of North America, but those of European descent are in the majority today. When the economic gap existing between two such groups is so wide, the group which has advanced technology and economic power will play a more important role in the society. Its culture becomes the

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<sup>1</sup> Charles Vert Willie, Race, Ethnicity, and Socioeconomic Status: A Theoretical Analysis of Their Interrelationship (New York: Generak Hall, Inc., 1983), 202.

dominant one. There has been a long-term imbalance between the two groups, and this imbalance has been an overwhelming factor in policy-making. Third, what is the future of Indian culture? To preserve this culture is a long-term goal of Canadian society. There are two different perspectives on it among the native people. The older generation prefers to keep their traditional life. They favor isolation and separation from the majority. The younger generation, however, wants to break the cultural barrier and wants to preserve Indian culture under conditions of multiculturalism.

My research project has lasted for two years. In the first year, under the direction of Dr. John L. Gordon, Jr., I concentrated on general reading in Canadian Indian history. When I decided to narrow my study to the topic of Canadian federal policy toward Indian education, I found there were many questions that I could not answer by reading published books. In addition, for decades, the history of native Americans has been written from the point of view of majority Europeans rather than by the natives themselves. Because of these problems, I decided to observe native life and to discuss the issues directly with the native people. I spent the month of May 1990 in Canada. I visited the National Library and Archives of Canada, the headquarters of the Department of Indian Affairs and Northern Development in Ottawa, and some Indian reserves in Quebec and northern

Ontario.

I learned a lot by traveling to the Canadian Indian reserve areas. My interviewees had diverse perspectives, but direct dialogue with them taught me about the true situation of Canadian Indian education and how critical this issue is. Consequently, my research became deeper and broader, and I hope this thesis reflects that fact.

As a student of history, I know how difficult it is to pass judgment on a specific historical event or movement through individual study. It is very hard to say "yes" or "no," "good" or "bad," even after a long period of research. New information comes to light every day, and research is always destined to be out of date before it is finished.

\* \* \*

This study was supported by the University of Richmond and many individuals. A research grant from the Graduate School of Arts and Sciences of the University of Richmond provided funding for my work in Canada. The Canadian National Archives and National Library as well as Boatwright Memorial Library of the University of Richmond offered valuable research collections and services. Dr. John L. Gordon, Jr., my thesis director, made critical comments on all of my papers in Canadian Indian history and various drafts of this thesis. He also helped me design and execute this research. My

advisor at University of Richmond, Dr. David C. Evans, read, discussed and offered suggestions on several chapters of this thesis. My debt to Tayloe Wise, a fellow graduate student, is also great. He read and discussed various drafts of the thesis chapter by chapter. All my friends in the Graduate Dean's office, History Department, and Boatwright Memorial Library deserve special thanks.

June 1, 1991

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Richmond, Virginia

Ling Yang

CHAPTER I  
EUROPEAN AND AMERINDIANS: FROM  
THE BEGINNING OF NATIVE EDUCATION

The development of Canadian Indian education is a complex problem in Canada's modern history. This is so not only because the process lasted such a long time, but also because it is connected with the religious, economic, and political situation of the country. This chapter is intended to survey the general development of Canadian Indian education and analyze the essential character of each of its periods. It will focus on the relationship between Canadian Indians and the European groups which were involved in this process of historical development.

Like any human society, Canadian Indians had various means of transmitting their cultural tradition to the younger generations. In modern educational terms, we may characterize their efforts as primitive. Basically, children were educated by their parents and other relatives. There were two traditional knowledge sources: the immediate world of personal and tribal experience, and the spiritual world evidenced through dreams, visions, and songs, which were often interpreted with the aid of medicine men or elders. This kind of primitive education depended on the highly prized oral skills of the tribe's men and women. Using some ideographic

symbolism for concepts and ideas, Indians supplemented the oral tradition with ideographic catalogues which helped to record and store valuable knowledge. They stored information and records in graphic form on available natural materials such as birchbark, rocks, and shells.

According to Cornelius J. Jaenen, the "first contacts between Frenchmen and Amerindians were made by the fishermen who had fished the Grand Banks at least since the fifteenth century." <sup>1</sup> Once contact with Europeans began, the Indians' economic situation, social life, and political organization began to undergo fundamental changes. Their traditional education was forced to respond to this challenge, and was affected by increased contacts.

Formal schooling for Indians was instituted shortly after Europeans came to the continent. The French and English began this kind of education and dominated it for almost three hundred years. Generally speaking, the educational history of Canadian Indians following the arrival of Europeans may be broken into four periods. They are the early missionary era, the era of assimilation, the pre-World War II period, and the post-World War II period.

The first period extended from the beginning of the seventeenth century into the early eighteenth century. During this period some twenty-four missionary orders and organiza-

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<sup>1</sup> Cornelius J. Jaenen, Friend and Foe: Aspects of French-Amerindians Cultural Contact in the Sixteenth and Seventeenth Centuries (New York: Columbia University Press, 1976), 12.

tions were the primary educators. In the early years of New France, French Catholic orders, especially the Recollects, Jesuits, and Ursulines, played very important roles.<sup>2</sup> The former two groups worked in educating men, while the later focused on female education. Basically, all of them tried to undermine the Indian belief system and cultural tradition by educating the younger generation of Amerindians in French customs and the Catholic religion. This period was known as the "Francisizing" period.

From about the middle of the eighteenth century to the later part of the nineteenth century, English missionary

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<sup>2</sup> The Recollects were a branch of the Franciscans started in France at the end of the sixteenth century. It was not a distinct religious order, but was granted a separate constitution in 1589 and a measure of autonomy in 1601. Their name came from their provision of rustic "houses of recollection" for spiritual renewal. The Recollects were the first group of Christians to provide Catholic school education among the Canadian Indians in the seventeenth century.

The Jesuits, or Society of Jesus, were an order of clerks founded by St. Ignatius of Loyola in 1534. The primary aim of the Society was to be at the call of the Pope for whatever work was required. Its chief apostolic labors were the education of youth and foreign missions. The Jesuits began working in New France in 1605. In the 1630s, Jesuits established schools based on the premise that native children had the same intellectual potential as French children. The Jesuits continued to play a very important role in Canadian Indian education into the nineteenth century.

The Order of St. Ursula (OSU), or Ursulines, also known as the Company of St. Ursula, was founded in 1535, at Brescia, Italy, by St. Angela Merici. Originally, its main purpose was to educate girls. Later, it was reorganized as a monastic order and spread through out Europe and other continents. The title of Ursuline is claimed by religious institutes with various constitutions, including independent monasteries of pontifical jurisdiction, unions, etc. The largest one is the Roman Union. It was also one of the earliest groups of Christians who were involved in North American Indian education.

groups became more influential. After the conquest of 1759-60, the British government did much to establish a generally friendly relationship between the new British colonial authority and the remaining French inhabitants. Only a few years later, the British government issued the Quebec Act in 1774. Under this measure, French civil law was maintained, the seigneurial system was guaranteed, and the freedom of Roman Catholic worship was recognized.<sup>3</sup> But British authorities were concerned about the French Catholic Church, including its power and influence on Indian education. Consequently, English Protestant churches and various organizations backed by the British government rapidly moved into the field. In their opinion, schooling was a useful

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<sup>3</sup> The seigneurial system was the principal land system of New France period. Under it, the seigneurs owed duties of colonial government and military leadership to their tenants. In other words, their holdings worked as units of local government and defence. Seigneurs had some privileges, such as holding a parcel of land granted by the government, establishing a court of law, operating a mill and organizing a commune, receiving various forms of rents from their tenants, and granting hunting and woodcutting licenses. This system also provided a means of settling the land. According to historical records, large tracts were granted to seigneurs on the condition that they brought out settlers, who would be their tenants, to settle on the specific areas. Usually seigneuries were 1 x 3 leagues in size, and divided into several individual holdings about 3 x 30 arpents (an old French unit of area, equal to about one acre) for habitants.

After Britain took over the former New France in 1763, the British law and authority respected the private agreements and the property rights of Francophone society. The seigneurial system was maintained until 1854 when a law was passed that permitted tenants to claim the rights to their lands.

The seigneurial system greatly affected Canadian, especially Francophone Canadian, history.



means to promote cultural identification with Protestantism, the English language, and British customs. Thus, it was promoted in unprecedented fashion. At least fourteen Protestant churches and societies entered into this process.

Compared with the previous period, there were two important differences. First, the government participated in native education and exercised its influence over the missions through legislative procedures and financial programs. In 1841, the government passed the School Act, which was intended to provide for a uniform school system for the new United Province of Canada. Later came the Common School Acts of 1846, 1850, and 1871.<sup>4</sup> Second, assimilation of native Americans into white society became the official principle of the Canadian federal administration over Indian affairs. In the early 1820s, Sir Peregrine Maitland, the Lieutenant-Governor of Upper Canada, proposed that schools teach basic reading, writing, and the essential skills of agriculture and industry to the tribes in the area of the Grand and Credit rivers. Sir John Colborne, Maitland's successor, authorized the implementation of Maitland's proposals and extended them to other tribes in 1828. It was under this administration that the government began a program for settling and "civilizing" Indians in the Cold Water Area between Georgian

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<sup>4</sup> Originally this act was passed in 1846 as legislation for improving the Common and Grammar Schools in present Ontario, but later on it also served as the model for school acts in most other regions of Canada.

Bay and Lake Simcoe. Obviously, by the middle of the nineteenth century, the policy of "civilizing" the Indians was firmly in place, and Indian schooling was accorded an importance in Canada's national political and social life.

By the late nineteenth century, the pattern of Indian education was finally established. In general, there were three main types of schools: the day school, located on the reserves; the boarding school, also located on the reserves, but founded on the initiative of churches or missionary agencies; and the industrial school, which as a matter of policy was placed in distant cities or towns. Indian education was the direct responsibility to the federal government but was administered by various churches. In practice, both the boarding school and industrial school offered some practical training to prepare Indians for employment. In 1892 the government decided to support all church operated schools through per capita grants to the missions. At this point, formal Indian education was completely under federal financial control. This period has been called "the era of assimilation."

According to John Webster Grant, by 1902 there were 221 day schools, 40 boarding schools, and 22 industrial schools.<sup>5</sup> Through these schools, the government hoped that it could separate the members of the younger generation from their

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<sup>5</sup> John Webster Grant, Moon of the Wintertime: Missionaries and the Indians of Canada in Encounter since 1534 (Toronto: University of Toronto Press, 1984), 177.

native living conditions for as long as possible and keep them under the direct influence of Christian civilization. The government believed that the younger generation should be taught the elements of an English education and be trained in farm work and general housework. In its Annual Report, the Department of Indian Affairs made it clear that the goal of federal education for Indians was "to give the rising generation of Indians such training as will make them loyal citizens of Canada and enable them to compete with their white neighbors." <sup>6</sup> Besides the schools, other institutions such as hospitals and agencies for social welfare were organized and operated under this policy. But among all these institutions, Christian schools still held an undoubted place of pride. When the Davin Report of 1879 gave Indian education national priority and opened new sources of funding to the churches, native schools took on an added importance, and ultimately overshadowed all other types of work. The denominations that had been involved in Indian missions greatly expanded their educational programs during the 1880s and 1890s.

Nevertheless, there was a serious problem with assimilation education. The Indians did not want it. They resisted it by burning and destroying school buildings, by running away from the schools, and by other acts of non-compliance. To achieve the official educational purposes,

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<sup>6</sup> Department of Indian Affairs and Northern Development (DIAND), Annual Report, 1918-23.

most schools instituted rules setting limits of acceptable behavior. For example, students were prohibited the use of their native languages or clothing. Punishment became a regular feature of school life. There were two other obstacles. One was that the federal government failed to provide enough qualified teachers for various schools. The other was that the high mortality rate of students sometimes led to public controversy.

These problems led eventually to a new phase, the third period, of Indian education in the early twentieth century. Indian resistance to white schooling and a growing public opposition to the expense of creating and maintaining larger industrial schools caused the Canadian government to change its policy. Its new goal was to train the young natives how to live a civilized life in their own environment. During this period many new day schools were built throughout Canada. Meanwhile, some provinces, like British Columbia, began to let Indian students study with white children. However, some case studies pointed out that, in the early years, Indian students were physically separated from whites and were relegated to performing household duties that were usually associated with maintaining a residential school.<sup>7</sup> Moreover, most of the clergy still retained the idea that separate residential

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<sup>7</sup> Jean Barman, "Separate and Unequal: Indian and White Girls at All Hallows School, 1884-1920," in Indian Education in Canada, vol. 1 The Legacy, ed. by Jean Barman, Yvonne Hebert, and Don McCaskill (Vancouver: University of British Columbia Press, 1986), 125.

schools were absolutely necessary, until European "civilization" had established a cultural beachhead on the mental landscape of the younger generation of Indians.

After World War II Indian education became a major problem in Canadian social life. There were three reasons for this. First, the wartime experience, postwar intellectual fashions, and the development of the Native Movement, made the racist bases of the government's Indian policy increasingly untenable. Second, the growth of the Indian population made more Canadians, especially policy-makers, realize that Indians had become a power that could not be ignored. According to John Price, by the 1960s, Indians, including status and non-status Indians, <sup>8</sup> were in the majority in the Northwest Territories and comprised almost half of the Yukon Territory's population. <sup>9</sup> Third, some territories of Indian communities contained valuable and needed natural resources. Eventually, the Canadian government had to swing its policy in the direction of the "Mosaic," a concept widely accepted as a

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<sup>8</sup> In Canada, the legal definition of "Indian" is contained in the Indian Acts. Generally speaking, the term Status Indian means the Indian legally defined as a member of this group, who keeps his or her ethnic identity and special legal privileges. Among Status Indians, there are two sub-groups--Treaty Indians and Non-treaty Indians or Registered Indians outside treaty areas.

Non-status Indians are those who are of Indian ancestry, but through intermarriage with non-Indian or abandoning their status rights, have lost their legal status as well as status privileges, although generally non-status Indians still keep their ethnic identity.

<sup>9</sup> John Price, Indians of Canada: Cultural Dynamics (Toronto: Prentice-Hall of Canada, 1979), 236.

characteristic of Canadian society. It admitted that Indians have an equal right and opportunity to preserve their cultural tradition and control their education.<sup>10</sup> In 1971, Blue Quills, an Indian school, became the first Indian-controlled school in the country since the sixteenth century. Some scholars suggested that this was a landmark in the history of Canadian Indian education. According to statistics of the Department of Indian Affairs and Northern Development (DIAND), by 1984, 187 bands were operating their own schools, and 21.3 percent of all Indian children in school were attending band-operated schools.<sup>11</sup>

Tracing back along the road of this long historical experience since the sixteenth century, one can see that at least three groups of Europeans were involved in Canadian Indian education: fur traders, missionaries, and the colonial, federal, and provincial governments. Each of them played different roles at different times. What kind of relations existed among them? To what extent did they affect Canadian Indian education?

In general, fur traders were the vanguard of the European advance into North America. Their original motive was profit, not religion. Yet their activities worked as a bridge. Through trade, Indian society received new tools, up-to-date

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<sup>10</sup> See Chapter III, pp. 70-71, and Chapter IV, pp. 79-92 of this thesis.

<sup>11</sup> Price, Indians of Canada, 16.

techniques, products, and even new ways of life. For example, iron knives, axes, and firearms imported into Indian areas replaced primitive stone and bone tools and other weapons. This process caused a series of major changes in Indian life. First, the division of labor between the sexes, that had been established over centuries, was upset. Regular economic pursuits that had been perfected over ages of constant adaptation to the northern environment were replaced by a desire for iron. Second, iron implements accelerated work and gave more time for trapping animals and getting furs. As animal herds decreased, trappers were continually moving further afield. Thus, economic and political pressure on the interior tribes led to a revival of inter-tribal warfare. The introduction of firearms profoundly altered tribal warfare in North America. It set in motion measures against the Indians which were rationalized later in terms of trade necessities, the right of self-defense, and inevitable technological advance.

Furthermore, European men's sexual relations with Indian women and intermarriage between Europeans and Indians also broke down Amerindian life. The Metis and their culture were the results of intermarriage between French and Indians. In short, the fur trade dissolved the solidarity of formerly distinctive native American groups. These groups became dependent upon external sources for many of the necessities of daily life such as weapons, domestic implements, and, to a

lesser degree, food and clothing. The more fur trade, travel, and activity there was, the more dependent native people became upon trade with Europeans.

Underlying these apparently superficial changes in Indian customs and manners was an internal psychological turmoil. Divergent sets of social values within North America dissolved the social solidarity of native groups and dislocated the reproduction functions of these formerly stable communities. All of these developments led to serious consequences for Indians and affected their capacity for survival.

No Indian history would be complete without consideration of the religious factor. In the nineteenth century, when the Hudson's Bay Company was the unquestioned master of northern Canada, the Company's board accepted an offer from the Wesleyan Missionary Society to establish several missions in its territory. According to the agreement between the two parties, the Society was to be responsible for salaries, and the Company agreed to furnish missionaries free transportation and to extend the provisions for accommodation and supplies which it made for its own officers.<sup>12</sup>

In fact, the relation between missionaries and traders was very complex because each group had different interests and purposes. Traders valued Indians for their native skills and dreaded any changes in their manner of life. The missionaries, however, wanted to transform the Indians from a

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<sup>12</sup> Grant, Moon of Wintertime, 100.



hunting people to a settled agricultural people. Traders regarded sexual relations and intermarriage with Indians as a normal outlet, while the missionaries wanted to protect the morals of the Indians and Europeans.

The two groups, however, had grounds for cooperation. Merchants needed a measure of law and order. They wanted their Indian trading partners to have some knowledge and responsibility that would be compatible with the Western concepts of trade. In this regard they knew that the missionaries were responsible helpers. The missionaries had to rely on various trading organizations for their initial foothold, transportation, and supplies. The two groups often prepared the way for each other, while viewing each other as a competitor.

Following the traders and missionaries, the government and its policies greatly affected native social life, especially Indian education. For example, from the 1860s to 1890s, many legislative acts were passed and reports written, among them the Ryerson Report (1846), the British North America Act (1867), the Indian Act (1876), and the Davin Report (1879) were especially important.

Egerton Ryerson was a Methodist minister in Upper Canada. He began his career in Indian education during the early 1820s. In 1844 he was appointed as superintendent of education, a position created by the School Act of 1841. In his 1846 report Ryerson recommended establishing a system of

elementary education based on Christian morality. His recommendations were incorporated into the Common School Acts of 1846, 1850, and 1871. His ideas affected an area far beyond the contemporary Ontario schooling system by reaching the Indian school system.

The British North America Act was enacted in 1867 by the British Parliament. It outlined the distribution of powers between the central parliament and the provincial legislatures. Section 91 of the Act took away the Indians' independent status and made them wards of the Canadian federal government.

The first Indian Act was passed in 1876.<sup>13</sup> According to the relevant provisions, Indian self-government was abolished and all of their affairs, including their finances, social services, and education were placed under federal control. Using this Act as a basis, several new editions of Indian Act were passed that provided the Minister of Indian Affairs with the authority to educate Indians either directly, through the provision of schools, or indirectly, through agreements with provincial or territorial governments, school boards, or private organizations.<sup>14</sup>

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<sup>13</sup> This act was expanded considerably over the years to promote assimilation policy. Under this act, traditional Indian practices such as the Sun Dance and Potlatch were officially suppressed. Enfranchisement in certain circumstances became involuntary.

<sup>14</sup> DIAND, Contemporary Indian Legislation, 1951-1978 (Ottawa: Treaties and Historical Research Center, April, 1981), 38-39.

In 1879, Nicholas Flood Davin finished his famous report, known as the "Davin Report." He recommended that the government should take over direct responsibility for Indian schooling instead of depending on contracts with missionary agencies. He proposed a system of industrial schools with standards set and funds supplied by the government.<sup>15</sup>

Obviously, by the mid-nineteenth century, in the realm of Indian formal education, the relation between the government and missions became more important than the one between traders and missions. Furthermore, once the government began its public education programs, the missionary school system lost its monopoly on Indian education. In fact, the two systems began competing. The missionaries, however, became more and more dependent on government funds, not only for their schools but also for their hospitals and medical workers. Besides finances, the missions looked to the government for moral backing that would give their representatives an aura of official authority while they worked among the Indians. In their terms, "the very fact of the civil power being behind would, in the main, suffice to

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<sup>15</sup> Nicholas Flood Davin (1843-1901) immigrated to Canada from England in 1872. He was a journalist, politician, and was also known as the voice of the North-West. From 1887-1900, Davin devoted himself to the struggle for provincial status for the north-west and economic advantages for the new settlers in the territory. In his report to the government in 1879, he recommended that Indians be taught white's trade skills, such as tailoring, shoe-making, etc. This led, in 1884, to the erection of three industrial schools at Battleford, Fort Qu'Appelle, and High River.

make clerical supervision efficient." <sup>16</sup>

From the seventeenth century to the early twentieth century, Indian education went through several periods in its development. Various groups of Europeans with different interests were involved in this process, but they held the common idea that it would be possible to begin the assimilation of the native population through the education of the younger generation and to effect their conversion by similar methods.

In the early period of Indian educational history, Christian missions played a dominant role. After Confederation, the federal government replaced the missions, and was in the main responsible for Indian education. Meanwhile, the missionaries sought either financial support or authoritative backing for their actions from the government. Consequently, federal legislation over Indian affairs and a relevant administration system became the two key issues in Canadian Indian history.

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<sup>16</sup> Bishop George Thornloe of Algoma, quoted in Grant, Moon of Wintertime, 185.

CHAPTER II

THE INDIAN ACTS OF CANADA:  
POLICY MAKING AND PHILOSOPHY

Knowledge about the basic structure of Canada's system of Indian administration and the laws governing Indian affairs is essential in order to understand the Canadian federal policy of Indian education. Since the middle of the last century, the government of Canada has passed many laws and reorganized its Indian administrative system several times. The Indian Acts are the basic legislation for Indian affairs.

There are three parts to this chapter. The first surveys the development of the Canadian system of Indian administration. The second traces the process of policy making and analyzes the main ideas behind the Indian Acts. The final part discusses several current issues.

The basic function of the Department of Indian Affairs and Northern Development (DIAND) is to deal with the relationship between native Americans and other Canadians. Generally speaking, the development of Indian administration leading to DIAND falls into three periods--the time before the American Revolution, the period from the American Revolution to World War II, and the period after World War II.

Before the American Revolution, Indian affairs in British North America were managed by the Imperial government in

London. The entire area of present day Canada was classified as one unit for the purpose of Indian policy and administration. The earliest British government document focusing on this was a 1670 act on aboriginal inhabitants of North America. It stated:

You are in Our name to command all Governors that they at no time give any just provocation to any of the said Indians that are at peace with us . . . do by all ways seek fairly to oblige them and . . . employ some persons, to learn the language of them, and . . . carefully protect and defend them from adversaries . . . more especially take care that none of our own subjects, nor any of their servants do in any way harm them. And that if any shall dare offer any violence to them in persons, goods or possessions, the said Governors do severely punish the said injuries, agreeably to right and justice. And you are to consider how the Indians and slaves may be instructed and invited to the Christian religion, it being both for the honor of the Crown and of the Protestant religion itself. . . .<sup>1</sup>

There were three points worthy of note in the document. One was that the native people needed special protection. The second was that the British Crown was to be their protector. Third, the British government believed that conversion of the Indians to Christianity, especially the Protestant religion, could achieve the goal of "civilizing" native Americans.

About 1689, the British Parliament appointed Arnout Cornelius Veile as the first special Indian commissioner to

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<sup>1</sup> "Report on the Affairs of the Indians in Canada," Journals of the Legislative Assembly of Canada 8 Victoria, 20 March 1845 (Montreal: Rollo Campbell, 1845), Appendix EEE. Taken from James Douglas Leighton "The Development of Federal Indian Policy in Canada, 1840-1890" (Ph.D. dissertation, Department of History, University of Western Ontario, August 1975), 1-2.

North America. By 1739 the number of Indian commissioners had increased from one to thirty. These appointments marked the beginning of the administration of Indian affairs. Following the French and Indian War, and the Treaty of Paris in 1763, Britain acquired a large area of former French and Spanish colonies. To control this huge colony efficiently, the Imperial government divided the colonial government bureau of Indian affairs into two parts, northern and southern. There was a superintendent in each part who was in charge of Indian affairs in each specific area. Because Indians had played an important role in the colonial wars, the main feature of legislation during this period was to emphasize partnership with the natives. The Royal Proclamation of 1763, issued by George III, showed this concern. It read:

We have given Power under our Great Seal to the Governors of our said Colonies respectively to erect and constitute, with the Advice of our said Councils respectively, Courts of Judicature and public Justice within our Said Colonies for hearing and determining all Causes, as well Criminal as Civil, according to Law and Equity, . . . And whereas it is just and reasonable and essential to our Interest, and the Security of our Colonies, that the several Nations or Tribes of Indians with whom We are connected, and who live under our Protection, should not be molested or disturbed in the Possession of such Parts of our Dominions and Territories. . . .<sup>2</sup>

After the American Revolution, Indian affairs in Britain's North American colonies remained under the control of London. In 1828 the British created the office of the

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<sup>2</sup> See "The Royal Proclamation, October 7, 1763," by the King, George R., taken from Revised Statutes of Canada 1970, Appendices (Ottawa, 1970), 125-127.

Chief Superintendent of Indian Affairs and appointed Major-General H.C. Darling to this post. Two years later, in April 1830, by the order of the Imperial Government, the bureau of Indian affairs was split into several regional sections. Lieutenant-Governor Sir John Colborne controlled Upper Canada. Colonel James Givins worked as the administrative head in the York area with the title of Chief Superintendent, while Lieutenant-Colonel Duncan C. Napier held the position as Secretary of Indian Affairs in Lower Canada until 1845. One scholar suggests that "the change of 1830, marked the Indian Department's final placement under civilian authority."<sup>3</sup> After Confederation, the Canadian federal government took responsibility for the control of Indian affairs. The provincial Indian affairs offices increased from two to four, located in each of the four original provinces. In 1873 Indian Affairs became a branch of the Interior Department and William Spragge was appointed as the Deputy-Superintendent-General in charge of Indian affairs. For the first time in Canadian history, under the Indian Act of 1880, the Department of Indian Affairs and all its regional offices were set up as an independent government branch. The document said:

There shall be a Department of the Civil Service of Canada to be called the Department of Indian Affairs, over which the Superintendent-General of Indian Affairs shall preside.... Upon the passing of this Act, so much of the business of the Department of the Interior as relates to Indian Affairs and which has hitherto been

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<sup>3</sup> Leighton, "The Development of Federal Indian Policy in Canada, 1840-1890," 61.



conducted in what is usually known as the "Indian Branch" of that Department shall fall under the management, charge and direction of the Department of Indian Affairs; and the Governor in Council may from time to time assign to the Department of Indian Affairs any of the present officers and employees of the Department of the Interior, or may direct any one or more of the officers and employees of the last-named Department to act as an officer of both Departments. <sup>4</sup>

Under this Act, the federal government set up four regional offices, in Manitoba, Keewatin, North-West Territory and British Columbia. <sup>5</sup>

In 1936 Indian Affairs was put under the Mines and Resources Department, and in 1950 it became a part of the Citizenship and Immigration Department. Finally, in 1966, the Department of Indian Affairs again became an independent branch of the federal government, known as Department of Indian Affairs and Northern Development (DIAND). <sup>6</sup>

Basically, there are three levels in this administrative system--the federal government department, the regional agency or offices, and the band (band council). At the top is the headquarters of DIAND. According to its Annual Report of 1989, under the Minister, there is a Deputy Minister and

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<sup>4</sup> See Item 4 and Item 7, "The Indian Act, 1880," Indian Acts and Amendments 1868-1950 (Ottawa: Treaties and Historical Research Center of Department of Indian Affairs and Northern Development, July 1981), 33.

<sup>5</sup> Item 9, Ibid.

<sup>6</sup> According to information gathered in personal interviews with the members of the Department, the Canadian Parliament has begun to talk about rescinding the branch. In last fiscal year the federal government cut the budget and staff of the Department.

Associate Deputy Minister. Under them are six assistant Deputy Ministers in charge of Lands, Revenue and Trusts; Indian Services; Economic Development; Self-Government; Finance and Professional Services and Northern Affairs. There are also six Directors, or Director-Generals, in charge of regional affairs of North-West Territory, Yukon Territory, Human Resources, Communications, Legal Services, and Executive Support Services and an administrator for the Canada Oil and Gas Lands Administration (COGLA). In DIAND's headquarters, there are approximately thirty-five branches that deal with different Indian matters. Examples include the Self-Government Negotiations Branch, Comprehensive Claims Branch, Indian Fishing Policy Branch, Membership, Revenues and Environment Branch, Education Branch, Band Support and Capital Management Branch, and Constitutional Development and Strategic Branch.

At the middle level of the system is the regional office or agency. There are fifty-one regional offices located in Atlantic provinces, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, British Columbia, Yukon Territory, and North-West Territory. Within each region, there are many district and sub-district offices, Service Centers, and Advisory Centers.<sup>7</sup>

In the late 1950s DIAND began to place an emphasis on Indian education. It believed that education was the key problem of Indian affairs. Based on this understanding, a series of

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<sup>7</sup> See DIAND, Annual Report, 1989.

educational programs under federal control and funding have been put into effect, such as a Cultural Center Program, In-Service Training Program, and Post-Secondary Education Program. All of these programs are operated or directed by DIAND's regional offices or agencies.

From the standpoint of policy making, DIAND has never had a loud voice in the government. In most cases, DIAND only serves as an advisor to the Canadian Parliament, or as an intermediary between the federal government and the native people, or as a tool in enforcing the federal Indian legislation. Often, DIAND must bear pressure coming from two fronts. On the one side, DIAND has to follow the regulations and policies of the federal government. Its capacity to deal with the Indian problem has been limited by its budget and personnel. On the other side, the native people have expected it to meet their needs on a daily basis.

At the bottom level is the "band" and "band council." According to the Indian Act of 1906,

"band" means any tribe, band or body of Indians who own or are interested in a reserve or in Indian lands in common, of which the legal title is vested in the Crown, or who share alike in the distribution of any annuities or interest moneys for which the Government of Canada is responsible; and, when action is being taken by the band as such, means the band in council.<sup>8</sup>

If a group of Indians share a common territory, they can be organized as a band and elect a chief, or chiefs, and the band council at specified intervals. Under the band council, there

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<sup>8</sup> See Indian Acts and Amendments, 1868-1950, 100.

is a manager who is in charge of band financial affairs, such as drawing up the budget, reporting money management and managing employment within the territory. There is also an education director who is in charge of pre-elementary, elementary, post elementary, adult vocational training, and the cultural center.<sup>9</sup> There is a band police station and a nursing station.<sup>10</sup> Once a month, the band council meets, discusses, and decides the band's business. Among the members of the council, the chief is the only fully paid employee. In some cases, the band council has the legal function of a local government, so one may call it the grass-roots unit of Indian affairs administration. By 1989 there were 592 bands in Canada, with membership ranging from two to 13,500 people. The average on-reserve population was 450.<sup>11</sup>

The relationship among these three elements of Indian administration has changed substantially over time. Generally speaking, before the 1970s there were no specific Indian affairs branches in the provincial governments. The band councils had direct connection with the federal agencies. Since the 1970s the federal government has proposed that

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<sup>9</sup> The Cultural Center is a federally controlled program begun in the 1970s. At present, there are approximately 70 centers operating in Canada.

<sup>10</sup> The Nursing Station is a federally controlled program. The federal government manages its facilities and personnel.

<sup>11</sup> See Indian Services Sector, published under the authority of the Hon. Pierre H. Cadieux, P.C., M.P., Minister of Indian Affairs and Northern Development (Ottawa: DIAND, 1989), 3.

provincial governments take over some of the responsibilities for Indians who inhabit the provinces. But, for various reasons, the Indians have rejected this plan. In May 1990 some Indians on River Desert and Long Point reserves of northern Quebec still emphasized that "We are not going to do any business with the provincial government. We only negotiate with Ottawa."<sup>12</sup> In fact, the current situation of Indian administration varies widely from band to band. Some of them are still partially under federal control. For example, Rapide Lake, a small community of two hundred and eighty persons located in northern Quebec, has a band council, but most of its affairs are managed by DIAND and its local agency. There is a day school with grades one through seven on the reserve. All aspects of teaching, including text books, teaching methods, examinations, evaluation, and personnel policies, have to follow federal regulations. Meanwhile, in some other places like River Desert and Mahnawaki, the band councils have taken over control of everything except the nursing stations. They are running their schools and the cultural centers. It appears that the only relationship between these reserves and the federal government is a financial one. Self-government has become a very popular idea among Canadian Indians in recent years.

The Indian Acts, as basic law of Canadian Indian affairs,

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<sup>12</sup> Interviews with the chief and education director of River Desert and the education director of Long Point, May 1990.

have undergone a long developmental process. Their origins can be traced back to the middle of the eighteenth century. According to the record, the Royal Proclamation of October 7, 1763 was one of the earliest government documents concerned with Indian affairs. In this proclamation, the British Imperial authority drew a line for its colonies in North America, and clearly restricted the power of colonial governments in their dealings with the native peoples. Most importantly this document provided a general idea about Indian lands and outlined the later reserve system. It read:

We do, with the Advice of our Privy Council strictly enjoin and require, that no private Person do presume to make any purchase from the said Indians of any Lands reserved to the said Indians, within those parts of our Colonies where, We have thought proper to allow Settlement . . . Declare and enjoin, that the Trade with the said Indians shall be free and open to all our subjects whatever, provided that every Person who may incline to Trade with the said Indians do take out a License for carrying on such Trade from the Governor or commander in Chief of any of our Colonies respectively where such Person shall reside and also give Security to observe such Regulations as We shall at any time think fit, by ourselves or by our Commissaries to be appointed for this Purpose, to direct and appoint for the Benefit of the said Trade . . . .<sup>13</sup>

In fact, this Proclamation laid the foundation for later Indian Legislation.

Based on the above principles, in June of 1869, the Canadian Parliament passed a bill entitled "An Act for the Gradual Enfranchisement of Indians, the Better Management of

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<sup>13</sup> See "Report on the Affairs of the Indians in Canada," Journals of the Legislative Assembly of Canada, 8 Victoria, 20 March 1845, Appendix EEE, 128.

Indian Affairs and to Extend the Provisions of the Act 31st Victoria, Chapter 42." There were twentyfour items in this act. Among them Items 1 and 2 focused on Indian land and legal holdings.<sup>14</sup> Items 3 and 4 concerned liquor and the punishment for selling alcohol.<sup>15</sup> Items 5, 7, and 19 dealt with criminal charges in Indian territory. Item 6 was about Indian status. In order to control Indian affairs efficiently, item 10 provided the basic ideas about election of a band council and its legal power.

The governor may order that the Chiefs of any tribe, band or body of Indians shall be elected by the male members of each Indian settlement of the full age of twenty-one years at such time and place and in such manner, as the superintendent General of Indian Affairs may direct and they shall in such cases be elected for a period of three years.<sup>16</sup>

Item 16 addressed enfranchisement of Indians. Items 12 and 20 focused on Indian land, reserves, and public projects. It said,

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<sup>14</sup> The Act said, "In Township or other tracts of land set apart, or reserved for Indians in Canada, and subdivided by survey into lots, no Indian or person claimed to be of Indian blood, or intermarried with an Indian family, should be deemed to be lawfully in possession of any land in such township or tracts, unless he or she has been or shall be located for the same by the order of the Superintendent-General of Indian affairs." Indian Acts and Amendments, 1868-1950, 7.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid., 8 and 56.

In fact, later in 1884, the Canadian Parliament accepted the proposal of the Deputy superintendent-General Laurence Vankoughnet and began a one-year election system in some Indian reserves. Since then, the one-year and three-year election system have been working as two parallel systems in Canada.

The Chief or Chiefs of any Tribe in Council may frame, subject to confirmation by the governor in Council, rules and regulations for the following subjects, viz: . . . public health . . . order . . . maintenance of roads, bridges, ditches and fences . . . etc.[item 12]

Such lands in any Indian Reserve as may be conveyed to any enfranchised Indian by Letters Patent, shall not, as long as the life estate of such Indian continues, be subject to seizure under legal process, or be mortgaged hypothecated, sold, exchanged, transferred, leased . . . .[Item 20] <sup>17</sup>

In fact, the Canadian Indian reserve system began much earlier than 1869. About 1637, under the government of the colony of New France, the first Indian reserve was established near Quebec City. It was funded by a French nobleman Noel Brulart de Sillery, and was named Sillery in his honor. The original purpose of this reserve was to draw together the wandering Indians in a "suitable place," convert them to Catholicism, and change their traditional life under the supervision of Jesuits. <sup>18</sup> In the early 1830s, the British government extended the reserve system, began to move Indians into more isolated areas, and settled them in large villages. The government believed that this kind of concentrated settlement would be helpful in teaching the Indians to farm and receive both European religious instruction and a European education. Historically, this systematic settlement marked the beginnings of the Canadian Indian reserve system. One scholar has called it "the keystone of Canada's Indian

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<sup>17</sup> Ibid., 7-9.

<sup>18</sup> James H. Marsh, ed., The Canadian Encyclopedia, 2nd ed. (Edmonton: Hurtig Publishers Ltd., 1988), vol. 3, 2002.



policy." <sup>19</sup> The problem with this policy was that, under this system, the native people were totally separated from other groups of inhabitants. The natural communication between native people and the majority Canadians was disturbed. The natives always had to do what the government wanted them to do rather than what they themselves wanted to do. This policy contributed to the destruction of Indian self-confidence and self-consciousness. Consequently, the process of modernizing Indian life was slowed down.

With the establishment of the reserve system, the Canadian government began a series of negotiations with the native people to bring more of them into the system. This begins the "Great Treaties" period in the history of Canadian Indian affairs. According to DIAND information, from 1850 to 1923, the former government of United Canada and the later federal government negotiated and signed fifteen treaties with Indians. The geographical coverage of these treaties ranged from the Maritime provinces to the North-West and Yukon Territories. More than twenty-eight tribes and native groups were involved in these treaties. Most of the treaties were signed after 1867, and focused on "Conveyance of land to Crown," "Peaceful settlement and immigration," "To open the land to settlement," or "Surrender of hunting, fishing,

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<sup>19</sup> John L. Tobias, "Protection, Civilization, Assimilation: an Outline History of Canada's Indian Policy," The Western Canadian Journal of Anthropology 6, no. 2 (1976): 15.

trapping rights." <sup>20</sup>

Two questions must be addressed. Why did the Canadian government become so interested in negotiating treaties with native people about their land at this specific time? Why did most treaties point to the untouched land in the north-west? While there were many reasons, two are worthy of mention.

From the standpoint of Britain, the Industrial Revolution had made her the world manufactory, and free trade became the principal policy. Spending money to support a huge colony in North America became both a losing proposition and a burden to the British treasury. Consequently, the Imperial government tended to give her former North American colony more power to deal with the Indian and other problems on its own.

From the standpoint of the young Canadian Confederation, the decade of the 1860s was a critical time in its history. After gaining the political power of internal self-government from the Imperial authority, a big issue for the Canadian government was protecting British North America from the threat of American expansion. <sup>21</sup> In these circumstances, the administration of Sir John A. Macdonald initiated its "National Policy." In brief, it was a three-pronged scheme for nation-building through tariff protection, railway

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<sup>20</sup> George Brown and Ron Maguire, "Indian Treaties in Historical Perspective" (Ottawa: Research Branch of DIAND, 1979), xxv.

<sup>21</sup> In 1867 the United States purchased Alaska from Russia and began talking of taking over the entire Pacific coast.

construction, and the promotion of settlement in the west and north-west territories. The government believed that railways would carry more settlers to the north-west area and in turn ship their farm products to eastern purchasers. The settlement of the north-west would consolidate the young dominion. At the same time, they hoped that an agriculturalized north-west would provide a huge market for eastern industry. To reach this goal, treaties with the Indians, and keeping a peaceful and friendly relationship with the native people would be necessary.

Based on these developments, in 1876 the first "Indian Act," also known as "An Act to Amend and Consolidate the Laws Respecting Indians," was passed. There were one hundred "Items" in this Act. Item 1 indicated that the act should "apply to all the Provinces, and to the North West Territories, including the Territory of Keewatin." Item 2 focused on the power of the Minister of Interior who was also the Superintendent-General of Indian Affairs and in charge of Indian land, money, and the reserve administration. Item 3 appeared under the heading of "Terms," which identified various concepts in the Act, such as "band," "irregular band," "Indian," etc. Items 4 through 22 focused on the "reserve." Items 25 to 44 came under the heading of "Surrenders," and dealt with all the problems about Indian lands--their release, surrender, and sale. There were other subheadings, such as "Management and Sale of Timber," "Money," and "Privileges of

Indians." Generally, they concentrated on economic, social and political problems including exploration of natural resources in the reserves, the band council and the chiefs, judicial processes, and criminal charges. The last two subheadings discussed the enfranchisement of Indians.<sup>22</sup>

This Act offered more detailed information about federal Indian policy than all previous legislation. For example, the document defined the exact meaning of "Indian" as follows:

The term "Indian" means  
 First. Any male person of Indian blood reputed to belong to a particular band;  
 Secondly. Any child of such person;  
 Thirdly. Any woman who is or was lawfully married to such person . . . .<sup>23</sup>

Under part three of the definition, the Act provided five sub-items which focused on different marriage situations and tribe membership related to these marriages, such as a woman married to an Indian who had been in a foreign country for five or more years, or an Indian woman married to a non-Indian

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<sup>22</sup> Since the later part of the last century, enfranchisement was the most common of the legal processes by which Indians lost their Indian status and relevant privileges. Generally, this term was used for two groups of Indians, either those who gave up their Indian status by choice or those Indian women who married with non-Indians. After enfranchising, both these two groups of people would lose their rights to live on the reserves, to vote on band affairs, etc. In 1985, a amendment to the Indian Act eliminated the idea of enfranchisement as well as the Act's discriminatory section, and gave the individual band council the right to decide the conditions of their specific band membership.

<sup>23</sup> Indian Acts and Amendments, 1868-1950, 14-15.

man, and inter-band marriage. <sup>24</sup>

The Act also gave the Superintendent-General and the Governor in Council more power to decide any matter regarding Indian affairs. In Item 26 (3), it said

But nothing herein contained shall be construed to prevent the Superintendent-General from issuing a license to any person or Indian to cut and remove trees, wood, timber and hay, or to quarry and remove stone and gravel on and from the reserve; Provided he, or his agent acting by his instructions, first obtain the consent of the band thereto in the ordinary manner as aforesaid provided. <sup>25</sup>

Besides this, Items 32, 35, and 38 gave the Superintendent-General more power over Indian lands, including their sale and release. <sup>26</sup> The Act empowered the Governor in Council to order that "the Chiefs of any band of Indians shall be elected, as hereinbefore provided, at such time and place, . . ." or to depose any chief or chiefs whenever and for whatever if the Governor thought it was necessary. (Item 62) <sup>27</sup>

Under this Act the Indian chiefs were placed in a difficult position. On one hand, they were elected by their tribe members; on the other hand, they had to work as a tool of the Canadian government. Finally, the real power in the hands of Indian chiefs extended only to governing the internal affairs of their bands. For example, the chief had the

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<sup>24</sup> Ibid.

<sup>25</sup> Ibid., 19.

<sup>26</sup> Ibid., 19-21.

<sup>27</sup> Ibid., 24.

following responsibilities:

1. The care of the public health;
2. The observance of order and decorum at assemblies of the Indians in general council, or on other occasions;
3. The repression of intemperance and profligacy;
4. The prevention of trespass by cattle;
5. The maintenance of roads, bridges, ditches and fences;
6. The construction and repair of school houses, council houses and other Indian public buildings;
7. The establishment of pounds and the appointment of pound keepers;
8. The locating of the land in their reserves, and the establishment of a register of such locations. (Item 63) <sup>28</sup>

An important feature of the Act was the "location ticket." According to item 86, the "location ticket" was a kind of certificate which proved an Indian had met all requirements and was good enough to be enfranchised. Who could get a "location ticket," and when, and for what, depended on the Superintendent-General,

Whereupon the said Superintendent-General, if satisfied that the proposed allotment of land is equitable, shall authorize some competent person to report whether the applicant is an Indian who, from the degree of civilization to which he or she has attained, and the character for integrity, morality and sobriety which he or she bears, appears to be qualified to become a proprietor of land in fee simple; and upon the favorable report of such person, the Superintendent-General may grant such Indian a location ticket as a probationary Indian, for the land allotted to him or her by the band. <sup>29</sup>

Some scholars have been very critical of the said "location ticket." They have considered it to be "a means by which the Indian demonstrated that he had adopted the European concept

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<sup>28</sup> Ibid., 24.

<sup>29</sup> Ibid., 27.

of private property, which was an additional test of whether he had become 'civilized'." <sup>30</sup>

Additionally, this Act was the first in Canadian history to offer opportunities to Indians to be enfranchised through education. The government believed that an Indian who had earned any kind of degree, or worked as a teacher, lawyer, or a medical doctor, had shown good evidence to demonstrate that he had accepted European values and had the ability to function in the mainstream white society. <sup>31</sup> With this law, we may surmise that Canadian federal policy towards Indians had assumed its basic shape. The main idea behind the policy was to turn the native peoples into imitation Europeans and to make them accept European economic, political and social life along with Christian values through the education process.

Four successive editions of the "Indian Act" followed the original Act of 1876. They were the Indian Acts of 1880, 1886, 1906, and 1927. As basic law, the Indian Acts did not include specific details for individual cases. To complete

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<sup>30</sup> Tobias, "Protection, Civilization, Assimilation: An Outline History of Canada's Indian Policy," The Western Canadian Journal of Anthropology 6, no. 2, (1976): 17-18.

<sup>31</sup> The Indian Act of 1876, stipulated that, "Any Indians who may be admitted to the degree of Doctor of Medicine, or to any other degree by any University of learning, or who may be admitted in any Province of the Dominion to practice law either as an Advocate or as a Barrister or Counsellor or Solicitor or Attorney or to be a Notary Public, or who may enter Holy Orders or who may be licensed by any denomination of Christians as a Minister of the Gospel, shall ipso facto become and be enfranchised under this Act." See Indian Acts and Amendments 1868-1950, 27.

the administrative law regarding Indian affairs, there were at least thirty amendments passed during this period. These Indian Acts and Amendments constituted the systematic Canadian Indian Affairs legislation as late as the mid-twentieth century.

A big change came after World War II. First, a Special Joint Committee (SJC) of the Canadian Senate and House was created in 1946. Its main purpose was to examine former policy, make proposals on Canadian Indian administration, and revise the Indian Act. After two years' work, the SJC recommended several points in its Fourth Report:

That the revised Act contain provisions to protect from injustice and exploitation such Indians as are not sufficiently advanced to manage their own affairs; that greater responsibility and more progressive measures of self government of Reserve and Band affairs be granted to Band Councils, to assume and carry out such responsibilities; that financial assistance be granted to Band Councils to enable them to undertake, under supervision, projects for the physical and economic betterment of the Band members; that such Reserves as become sufficiently advanced be then recommended for incorporation with the terms of the Municipal Acts of the province in which they are situated . . . .<sup>32</sup>

In the same report, SJC's recommendations also embraced Indian women's right to vote on band affairs, the consumption of alcohol, the criminal code, and the duty of the government. Regarding the latter, the report proposed that it was "the duty and responsibility of all officials dealing with Indians to assist them to attain the full rights and to assume the

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<sup>32</sup> Canada, Special Joint Committee of the Senate and the House of the Commons on the Indian Act, "Minutes of Proceedings," no. 5, Fourth Report (1948), 186-187.



responsibilities of Canadian citizenship." <sup>33</sup> The SJC suggested that the government give Indian Education further consideration and build hospitals and nursing stations in the reserves for the care of aged, infirm, and blind Indians. <sup>34</sup>

Based on the work of the SJC, a new Indian Act was passed in 1951. Compared with the Indian Act of 1876, the 1951 Act deleted about fifty sections and subsections of the old Act. Under similar subheadings, however, it listed more detailed items. For example, in the 1876 Act, under the heading of Councils and Chiefs, there were only three items, discussing the election and duties of chiefs. But in a similar section of the 1951 Act, there were seven items concerning the election of chiefs, qualification of candidates, procedures of election, terms of election, and restrictions on the power of the Governor in Council and Minister of Department of Indian Affairs. The 1951 Act emphasized the necessity of improving the administration of Indian affairs and suggested giving more power to the band councils. Of course, this meant that the Indian band governments would take more responsibility for themselves. As Item 81 pointed out: "The council of a band may make bylaws not inconsistent with this Act or with any regulation made by governor in council or the Minister." <sup>35</sup>

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<sup>33</sup> Ibid.

<sup>34</sup> Ibid., no. 21 (1946), 5-6, and (1947), 2004.

<sup>35</sup> Derek G. Smith, ed., Canadian Indians and the Law: Selected Documents, 1663-1972 (Toronto: McClelland & Stewart, Ltd., 1975), 182.

An interesting point of the 1951 Act is that, while the minister of DIAND's power over Indian political affairs was reduced, his authority over Indian education was enhanced.

Items 114 and 115 declared that

- 1) The Governor in Council may authorize the Minister, in accordance with this Act, to enter into agreements on behalf of Her Majesty for the education in accordance with this Act of Indian children, with
  - a) the government of a province
  - b) the Commissioner of the Northwest Territories,
  - c) the Commissioner of the Yukon Territory,
  - d) a public or separate school board, and
  - e) a religious or charitable organization.
- 2) The Minister may, in accordance with this Act, establish, operate and maintain schools for Indian children. (Item 114)

The Minister may

- a) provide for and make regulations with respect to standards for buildings, equipment, teaching, education, inspection and discipline in connection with schools;
- b) provide for the transportation of children to and from schools ; . . .
- d) apply the whole or any part of moneys that would otherwise be payable to or on behalf of a child who is attending a residential school to the maintenance of that child at that school. (Item 115) <sup>36</sup>

The 1951 Act was a new kind of Indian Act with at least four distinct characteristics. First, it deleted some outdated sections. Second, the Minister's power was reduced from that of a superior to one of supervisor. Third, it gave Indian band councils more power to run their governments. Fourth, and most important, the relationship between the federal government and the band government began to switch from

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<sup>36</sup> Ibid., 193.

absolute subordination to partnership. From this point we may say that the 1951 Act established the foundation for the present federal policy towards Indians. Following the Indian Act of 1951, the Canadian Parliament passed another two editions of the Indian Acts and five Amendments during 1950s and 1960s.

Yet, if we take a close look at all the Indian Acts, we find that, despite the distinctions between them, they have much in common. They are quite similar not only in format, content, and intent, but also in the main principle passed down from one to the other. This principle was and is to assimilate Indians through all possible means into the mainstream of white society. Common elements in this regard were much bigger than differences. The main point here is that, for almost a century, there was not any provision for direct control and participation in Indian affairs by the Indian people themselves. Indians could only do what they were told, either by the federal agencies or by the Indian Acts. This fact links the different Indian Acts. In other words, behind the policy making, generation by generation, policy makers still believed that white culture was the best culture in this world, and that they had an obligation to share this highly successful way of life with those less fortunate than themselves. James D. Leighton pointed out, "Such attitudes, coinciding with a revitalization of popular esteem for the monarchy, were to mark the apex of the

Victorian age in the last two decades of the nineteenth century." <sup>37</sup> Although governments changed, the introduction of European life styles, social value standards, languages, and Christianity still was a primary goal and principle in the government's Indian policy. There were different labels, "assimilation," "civilization," "Europeanization," or "modernization," but little difference in the content. Ironically, the more Europeans imposed their standards on the Indians, the more trouble and resistance they encountered. Each year the federal government put much money into Indian affairs, such as education, social welfare, and land claims compensation. According to a report from British Columbia, in 1882 the federal government assisted with a grant of \$826 for three residential schools and three day schools in the province. In contrast, by 1946, the federal government paid out more than one-half million dollars to keep thirteen residential schools and fifty-six day schools open in British Columbia. The rate of increase was about 500 times. <sup>38</sup> DIAND's Annual Report claimed that during the fiscal year of 1988-89, federal financial aid to 15,000 Indian students in the post-secondary education program cost \$122 million. Even so, Indian reserves in present day Canada are still the symbol

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<sup>37</sup> Leighton, "The Development of Federal Indian Policy in Canada, 1840-1890," 209.

<sup>38</sup> See Report of Conference on Native Indian Affairs at Acadia Camp, Vancouver, University of British Columbia, April 1-3, 1948, 50.

of poverty, alcohol, and drug abuse problems. Consequently, while the federal government spends money on Indian affairs, often with disappointing results, taxpayers argue about who should take the responsibility to settle this problem left by history.

In addition to financial problems, the growth of the Indian population in 1950s and 1960s, the development of the Indian national movement, and international competition over the Arctic area were also important factors which pushed the Canadian federal government to re-examine its traditional policy making. According to Russell Thornton, by 1890 the total population of Canadian Indians was 122,585. The official register of DIAND listed the number at 250,781 by 1970. Ten years later, this number went up to one-half million. The birth rate of native peoples in 1960s and 1970s was double the Canadian national average.<sup>39</sup> There were changes in the structure of Indian population. From 1976 to 1986, the Indian population aged from 15-29 years old increased about 35 percent, from 86,000 to 116,5000. No doubt, the rising younger generation of Indians will continue to enhance the Indian voice and power in Canadian national affairs.<sup>40</sup>

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<sup>39</sup> Russell Thornton, American Indian Holocaust and Survival: A Population History Since 1492 (Norman: University of Oklahoma Press, 1987), 242-244.

<sup>40</sup> See Xi-Hu Ruan, Jianada Minzu Zhi (History of Canadian Nationalities), (Beijing: Social Science Publishing House of China, 1986), 29.

Indian political organizations have arisen, which indicates that the Indians, as the first nations in North America, will not be ignored. Among these organizations, the North American Indian Brotherhood, the League of Indians, and the later National Indian Brotherhood (also called the Assembly of First Nations), are nation-wide organizations. The North American Indian Brotherhood (NAIB) was formed in 1944 in Ottawa by Andrew Paul. As the president of NAIB, Paul addressed in joint session House and Senate Committees and called upon the government to reform its Indian affairs administration and asked for self-government on reserves. This organization remained in existence until 1969.

The League of Indians was formed in 1919 at Sault Ste. Marie by F. O. Loft, a Mohawk Indian and war veteran from Toronto. From the beginning, the League declared as its goal the protection of Indian rights throughout Canada. Later the League proposed that Native people should have absolute control over their lands, natural resources, and local government. After 1930, the League split into different regional branches. Some of them have changed their names, such as "Indian Association of Alberta," and "Protective Association for Indians and Their Treaties," etc.

In 1968 the National Indian Brotherhood (NIB) became the Indians' major political organization on a national level. The recent concerns of the organization are a constitution, self-government, and sovereignty for the native people. In

the 1980s, NIB represented 15 affiliated Indian associations. There is a resident deputy office of NIB in Ottawa. Meanwhile, there are many lesser associations scattered through out the provinces, such as Association of Saskatchewan, Manitoba Indian Brotherhood, Union of Ontario Indians, and Indians of Quebec Association.<sup>41</sup>

Moreover, in recent decades, the increasing Soviet and America explorations in the Arctic have called into question Canadian authority in the region. Concern over Canada's sovereignty over the territory has caused the federal government to focus its attention on northern development, and the majority of inhabitants in this area are native people. The administration of natives in this region became one of the hot points in federal policy making. Obviously, only in developing the North and North-West areas economically and politically, could Canada practice its effective sovereign rights over that huge territory.

Under these circumstances, the Trudeau administration, proposed a "new policy" in the late 1960s. In 1969 the Department of Indian Affairs and Northern Development provided a "Statement of the Government of Canada on Indian Policy," and Prime Minister Trudeau himself delivered a speech on the subject in British Columbia. These two pronouncements made

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<sup>41</sup> Wayne Daugherty, "A Guide to Native Political Association in Canada," Part II (Ottawa: Treaties and Historical Research Center of DIAND, 1982).

very clear what kind of new policy the government would initiate. The "Statement" was presented to the First Session of the Twenty-eighth Parliament by the Honorable Jean Chretien, Minister of Indian Affairs and Northern Development. In the "Summary," he said:

This Government believes in equality. It believes that all men and women have equal rights. . . . This belief is the basis for the Government's determination to open the doors of opportunity to all Canadians, to remove the barriers which impede the development of people, of regions and of the country. . . . The goals of the Indian people cannot be set by others; they must spring from the Indian community itself--but government can create a framework within which all persons and groups can seek their own goals. <sup>42</sup>

He proposed a new policy of "true equality." His main idea was that the Indian peoples have the right to full and equal participation in Canadian national economic, political, and cultural life. In other words, the government emphasized that the conditions for a new policy should be recognition of the legal rights of Indians and the value of their cultures, a gradual transfer to Indians of administrative right over their affairs, and recognizing that all Canadians should be treated equally. <sup>43</sup> In order to implement the new policy, the

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<sup>42</sup> "Statement of the Government of Canada on Indian Policy, 1969," presented to the first session of the Twenty-Eighth Parliament by the Honorable Jean Chretien, Minister of Indian Affairs and Northern Development (Ottawa: Queen's Printer, 1969), 6.

<sup>43</sup> In the "Statement of the Government of Canada on Indian Policy, 1969," the federal government suggested "1) that the legislative and constitutional bases of discrimination be removed; 2) that there be positive recognition by everyone of



Minister of DIAND suggested that the federal and provincial governments share power and responsibilities for the Indian affairs and reorganize DIAND and some other bureaus relevant to Indian affairs whenever necessary. <sup>44</sup>

Here, the Minister's Statement indicated a different philosophy behind the new federal policy making, namely that all Canadians should be equal in status. Indians should surrender their special legal status and their treaty privileges except for their reserve lands. In his opinion, the main responsibility of the federal government was to provide advice and financial support for local development, native education, the preservation of native culture, and other programs and services. <sup>45</sup>

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the unique contribution of Indian culture to Canadian life; 3) that services come through the same channels and from the same government agencies for all Canadians; 4) that those who are furthest behind be helped most; 5) that lawful obligations be recognized; 6) that control of Indian lands be transferred to the Indian people."

<sup>44</sup> The same Statement said that there were several necessary steps, such as "Propose to the government of the provinces that they take over the same responsibility for Indians that they have for other citizens in their provinces . . . . Make substantial funds available for Indian economic development as an interim measure. . . . Wind up that part of the Department of Indian Affairs and Northern Development which deals with Indian Affairs. The residual responsibilities of the federal government for programs in the field of Indian affairs would be transferred to other appropriate federal departments."

<sup>45</sup> Ibid. The Minister of DIAND pointed out: "Separate but equal services do not provide truly equal treatment . . . . Traditional method of providing separate services to Indians must be ended. All Indians should have access to all programs and services of all levels of government equally with other

Almost at the same time, in Vancouver, British Columbia, Prime Minister Trudeau said,

The time is now to decide whether the Indians will be a race apart in Canada or whether it will be Canadians of full status. And this is a difficult choice. It must be a very agonizing choice to the Indian peoples themselves because, on the one hand, they realize that if they come into the society as total citizens they will be equal under the law but they risk losing certain of their traditions, certain aspects of a culture and perhaps even certain of their basic rights and this is a very difficult choice for them to make, . . . It's inconceivable, I think, that in a given society one section of the society have a treaty with the other section of the society. We must be all equal under the laws and we must not sign treaties amongst ourselves. . . . They should become Canadians as all other Canadians and if they are prosperous and wealthy they will be treated like the prosperous and wealthy and they will be paying taxes for the other Canadians who are not so prosperous and not so wealthy whether they be Indians or English Canadians or French or Maritimers and this is the only basis on which I see our society can develop as equals.<sup>46</sup>

In a sense, a one might argue Trudeau's "new policy" was only the continuation of the 1950s policy. In other words, he was advocating a different approach to achieve the same goal. Before the 1950s the government tried to assimilate Indians under the name of "protection." Since the 1950s, the government still has maintained its assimilation policy but under the new name of "equal citizenship."

Consciously or unconsciously, Canadian political leaders

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Canadians."

<sup>46</sup> Pierre Trudeau, speech in Vancouver, British Columbia, August 8th, 1969, quoted in Peter A. Cumming and Neil H. Mickenberg, Native Rights in Canada, 2nd ed. (Toronto: The Indian-Eskimo Association of Canada, 1972), 331-332.

ignored the fact that under conditions of centuries-long exploitation and assimilation by other cultures, the Indians, as nations, cultures, and peoples, have been disrupted. The Indians themselves understood that, whether the talk was of "protection" or "equal citizenship," the dominant European culture was still trying to impose its ideas on them. Therefore, the Indians and some non-Indian communities protested against the new government policy soon after the government Statement of 1969 and Trudeau's speech. Before long, the government was forced to reconsider its policy and delay transfer of services. In 1973, the government even announced the withdrawal of the 1969 Statement. But, as John L. Tobias pointed out, "This official withdrawal does not mean that the goal has been repudiated; at least there is no indication of such renunciation to date. It is simply that alternative means to achieve it are being considered."<sup>47</sup>

From 1867, the year of Canadian Confederation, to 1970, over one hundred years passed. During this time, Canada had nineteen different administrations. If we talk about the philosophy behind Canadian federal policy towards Indians, our conclusion must be, "There has been no change." The best examples are furnished by the words of three famous Canadian politicians.

In his policy statement of 1880, Sir John A. Macdonald

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<sup>47</sup> Tobias, "Protection, Civilization, Assimilation: An Outline History of Canada's Indian Policy," The Western Canadian Journal of Anthropology 6, no. 2 (1976): 26.

expressed his wish "to wean [the Indians] by slow degrees, from their nomadic habits, which have almost become an instinct, and by slow degrees absorb them or settle them on the land. Meantime they must be fairly protected."<sup>48</sup> In 1950, the then Minister of Indian Affairs, Walter E. Harris, announced that his new Indian policy should be "integration of the Indians into the general life and economy of the country."<sup>49</sup> By 1969, Prime Minister Trudeau's idea was "I don't think that we should encourage the Indians to feel that their treaties should last forever within Canada . . . . They should become Canadians as all other Canadians."<sup>50</sup>

After a century, the traditional European ideas remain in force. One can say the old approach has been re-discovered and re-defined and serves the government again and again. Paradoxically, while they were intended to be a mechanism for assimilation, the Indian Acts fundamentally isolated Indians from other Canadians. Thus, the policy goal and the legislation have been contradictory.

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<sup>48</sup> Canada, House of Commons, Debates, May 5, 1880.

<sup>49</sup> Tobias, "Protection, Civilization, Assimilation: An Outline History of Canada's Indian Policy," The Western Canadian Journal of Anthropology 6, no. 2 (1976): 191.

<sup>50</sup> Cumming and Mickenberg, Native Rights in Canada, 331.

CHAPTER III  
LEGISLATION REGARDING INDIAN EDUCATION  
SINCE CONFEDERATION

From the beginning of contact with native Americans, European settlers believed that the key issue of the so-called "Indian problem" was their education. Acting on this belief, the federal government put a lot of effort into legislation regarding native education. From 1867 to the 1970s there were approximately seventeen major bills, official statements, and reports connected with this matter. Among them were the British North America Act (1867); An Act Providing for the Organization of the Department of the Secretary of State of Canada, and for the Management of Indian and Ordnance Lands (1868); An Act Further to Amend the Indian Act (1894); An Act Respecting Indians (1906); the Hawthorn Report (1966-1967); the Watson Report (1972); the Statement of the Government of Canada on Indian Policy (1969); and the Statement by the Honorable Jean Chretien, Minister of Indian Affairs and Northern Development on Indian Education (1973). Looking at these documents closely, one finds that the process of formulating Indian education policy since the mid-nineteenth century can be divided into three periods--pre-1951, 1950s-1960s, and 1970s.

The period from 1867 to 1951 was the initial period of federal policy towards Indian education. Federal government

records show that the first legislation concerning Indian education was An Act Providing for the Organization of the Department of the Secretary of State of Canada, and for the Management of Indian and Ordnance Lands of 1868. It authorized the federal government to use Indian funds for native schools. In Item 11, it stated:

The Governor in Council may, subject to the provisions of this Act, direct how and in what manner, and by whom the moneys arising from sales of Indian lands, and from the property held or . . . from any timber . . . from any other sources for the benefit of Indians . . . to cover the cost of . . . schools frequented by such Indians.<sup>1</sup>

According to J. W. Chalmers, by the time the 1868 act went into effect, about fifty Indian schools already were funded by the federal government. Among them, thirty-eight were located in Ontario, three in Manitoba, and two in the Northwest Territories. Most of these schools were operated by Protestant churches, mainly Anglican and Methodist.<sup>2</sup>

One year later, in 1869, another federal law named "An Act for the Gradual Enfranchisement of Indians, the Better Management of Indian Affairs, and to Extend the Provisions of the Act 31st Victoria, Chapter 42" was passed. It authorized the bands' chiefs to make regulations regarding the

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<sup>1</sup> Smith, ed., Canadian Indians and the Law: Selected Documents, 1663-1972, 66.

<sup>2</sup> J. W. Chalmers, Education Behind the Buckskin Curtain: A History of Native Education in Canada (Edmonton: University of Alberta, 1972), 8. Although legislatively, until 1870 Manitoba and North-West Territories were not provinces of Canada, yet, the federal government had begun to fund the missions which operated native educational programs in these areas.

construction and repair of school houses. <sup>3</sup>

These early documents had three main provisions. First, the money for Indian education should come from the Indian funds rather than from governmental sources. Second, the education of Indians became a part of federal concern. Third, the final decision-making power concerning Indian education rested with the federal government. From the point of federal policy-making at this time, "Indian land" still was the most important issue. <sup>4</sup>

In 1892, an Order-in-Council went into effect focusing on the operation of residential and industrial schools. According to this document, the federal government would share the responsibility for Indian education with churches based on per capita grants from the government. For example, school buildings were the joint responsibility of both parties, but the churches paid the teachers' salaries. How much funding schools would receive each year depended on the bureau of Indian affairs (under different administrations, the department in charge of native affairs had various names). However, as a representative of the federal government, this

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<sup>3</sup> See Item 12, (6) of the bill. Indian Acts and Amendments, 1868-1950, 8.

It said, "The Chief or Chiefs of any Tribe in Council may frame, subject to confirmation by the Governor in Council, rules and regulations for the following subjects, viz: ... (6) The construction of and maintaining in repair of school houses, council houses and other Indian public buildings."

<sup>4</sup> See Chapter II, pp. 29-30.

department was authorized to set up a series of regulations and standards for native education. Therefore, the missionaries became a secondary partner with the government in this endeavor. It was said that by 1895 there were about 290 Indian schools in operation in Canada with 4,819 students in attendance. Among them, fewer than sixty resident schools operated under this legislation. The other schools were owned separately by churches or the government.

There were no other major changes until 1894 when the Parliament passed An Act Further to Amend the Indian Act. This act gave the Governor in Council more power to control Indian education. Item 137 said,

The Governor in Council may make regulations either general or affecting the Indians of any provinces or of any named band, to secure the compulsory attendance of children at school . . . . School regulations, in addition to any other provisions deemed expedient, may provide for the arrest and conveyance to school, and detention there, . . . such regulations may provide for the punishment, upon summary conviction, by fine or imprisonment, or both, of parents and guardians, or persons having the charge of children, who fail, refuse or neglect to cause such children to attend school. <sup>5</sup>

In Item 138 of the same act, the Governor in Council was empowered to build industrial schools and boarding schools for Indians who were under eighteen years of age. In order to maintain the schools, the Governor also had the power to

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<sup>5</sup> Indian Acts and Amendments, 1868-1950, 93.



control the money from annuities and interest.<sup>6</sup>

To improve the administration of Indian affairs, more sections focusing on Indian education were added to the Indian Act in 1906. One was "An Act Respecting Indians." Under the sub-heading of "Schools," there were three items regarding Indian education. The Governor in Council was authorized to make regulations which would require compulsory school attendance of Indian children. As in the amendment of 1894, the Governor had the power to decide to build and maintain schools for Indian children whenever and wherever he thought necessary. It was also stipulated that the Governor may

provide, in such manner as to the Governor in Council seems best, for the application of the annuities and interest moneys for children committed to such industrial school or boarding school, to the maintenance of such schools respectively, or to the maintenance of the children themselves.<sup>7</sup>

The acts of 1894 and 1906 put an emphasis on financial support

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<sup>6</sup> Ibid.

Based on the treaties signed by the government and native people, the native people surrendered the titles of their lands to the Crown. In return they received a specific amount of money each year. In fact, the treaties signed in pre-Confederation or post-Confederation periods usually stipulated a transferring of interest in territory in return for a presentation of money and some merchandise, together with the a regular annual payment in perpetuity. Under the treaties, native peoples would receive interest payments on funds obtained from Crown sales of the ceded territories and the natural resources discovered on those lands. But most treaties signed after the Confederation included some items as a compensation. For example, day schools and nursing stations were built for the specific reserves and medicine and farm implements were supplied along with animals, seeds, and even agricultural techniques services.

<sup>7</sup> Ibid., 93-102.

for Indian education and compulsory attendance of students. Meanwhile, they stipulated that regulations made by the Governor "should have the force of law."<sup>8</sup> Thus, federal control of funding for Indian education became a basic principle of federal policy-making.

Fourteen years later, in an amendment to the 1906 Indian Act, the government extended this principle to give the Governor more power over Indian education. For example, the Governor in Council could decide which institutions qualified as industrial or boarding schools for federal funding, and could enter into an agreement with any institution involved in Indian education. Also, the Governor had the right to decide if there was any need to provide transportation for Indian children.

There were two important provisions in the 1920 amendment. One was that, "The Governor in Council may appoint an officer who should be called the deputy of the Superintendent General of Indian Affairs." Under the supervision of the Governor, the Superintendent General would have the power to make regulations concerning Indian school buildings, equipment, teaching methods, discipline and inspection of the schools.<sup>9</sup> The other point was that the Superintendent General was given the power to appoint a "truant officer" to enforce attendance by Indian students.

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<sup>8</sup> Ibid.

<sup>9</sup> Ibid., 136.

According to this act, the said "truant officer" could arrest without a warrant any child who failed to attend the school, and could transport that child to school.<sup>10</sup>

Although the Indian act was amended during the 1930s, no important changes were made in its content, except to increase the power of the truant officer. For example, a 1933 amendment allowed the police to function as truant officers. It stipulated that "Every member of the Royal Canadian Mounted Police Force and any special constable appointed for policy duty on an Indian reserve shall be a truant officer."<sup>11</sup> Under these circumstances, the attendance of Indian children became a matter of maintaining social order. Thus, education became a way to enforce Indian assimilation into white society.

In 1946 a Special Joint Committee of the Senate and House of Commons (SJC) began to re-examine federal policy towards Indians. Its research covered the history of policy-making and contemporary issues. In its final report to the Parliament, issued in 1948, the JCSH recommended revising traditional Indian policy.<sup>12</sup> It was on the basis of the JCSH report that, "equal opportunity for all Canadians" became a major concern in Indian educational policy making.

Federal Indian educational policy took more complete

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<sup>10</sup> Ibid.

<sup>11</sup> Ibid., 179.

<sup>12</sup> See Chapter II, p. 36.

Indian Acts and Amendments,  
1868-1950, 93

shape in 1951 when a new Indian Act was passed.<sup>13</sup> Under the sub-heading of "Schools" there were eight items that authorized DIAND to establish, operate, and maintain various schools (day schools, boarding schools, and industrial schools) for Indian children. The agency was also granted the authority to sign agreements with provincial governments, public school boards, and councils of religious organizations. It said in Item 113:

The Governor in Council may authorize the Minister, in accordance with this act.  
a) to establish, operate and maintain schools for Indian children,  
b) to enter into agreement on behalf of His Majesty for the education in accordance with this act of Indian children with  
(i) the government of a province, (ii) the council of the Northwest Territory, (iii) the council of the Yukon Territory, (iv) a public or charitable organization, (v) a religious or charitable organization.<sup>14</sup>

Under Item 114, the Minister could both provide funding for various kinds of schools and control school administration. He could "provide for and make regulations with respect to standards for buildings, equipment, teaching, education inspection."<sup>15</sup> Item 118 gave the truant officer more power. He could investigate any truancy case, and even use force whenever he thought necessary.<sup>16</sup>

Items 117, 120, and 121 focused on the relationship

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<sup>13</sup> See Chapter II, p. 37.

<sup>14</sup> Contemporary Indian Legislation, 1951-1978, 38-41.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

between Indian education and their religion. They stated:

no child whose parent is a Protestant shall be assigned to a school conducted under Roman Catholic auspices and no child whose parent is a Roman Catholic shall be assigned to a school conducted under Protestant auspices except by written direction of the parent.<sup>17</sup>

Ironically, in addressing Indians' religion, federal policy-makers seem to have forgotten that Indians had had their own religion before Europeans arrived. At any rate, the "Schools" section of the 1951 Act set up a series of political and administrative regulations for Indian education most of which remained to 1990.

From 1952 to 1956, the Canadian Parliament amended Indian education legislation several times, but made no major changes to the contents of the 1951 Indian Act. Several points, however, are worthy of mention.

First, the voice of native peoples was never heard. For the policy makers, Indian education was only a means of civilizing the natives and inculcating the dominant culture. Indians were supposed to do what they had been told.

Second, from the time of Confederation to the 1950s, eight administrations under different political parties maintained the same policy towards Indian education. The element of continuity was centralization of the native education administration. This tendency dominated the relationship between the federal, provincial, and local

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<sup>17</sup> Ibid.

governments. As mentioned above, after Confederation, the federal government took control of Indian education by providing funding to those institutions involved in native education. As late as the early 1950s the federal government signed several agreements with the provincial governments, called the Master Tuition Agreements. The federal government provided money to cover all Indian students attending provincial schools from kindergarten to grade seven. The amount of the funds appropriated was decided by using per capita figures. Federal government funds for native education were also provided to the missionaries. In reality, federal agencies could not provide a sufficient number of schools to meet Indian needs. Meanwhile, various missionaries had been involved in Indian education for more than three centuries. By the turn of this century, there were many Indian schools that were still operated by different churches. Thus, the federal government took control of native education, but it needed the missionaries to operate the schools and carry out the traditional policy of assimilation. The two sides had a common point in believing education was a key element toward civilizing the natives. However, by the late 1940s, missionaries began to question federal educational policy. They argued that "If you want to make the Indians good citizens give us a chance to make them good Catholics." <sup>18</sup>

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<sup>18</sup> Father J.L. Bradley, see Report of Conference on Native Indian Affairs at Acadia Camp, 45-46.

"There can be no adequate educational program in a country unless such an education has a strong religious basis." <sup>19</sup> In practice, the federal government shared power with the missionaries to control Indian education. For example, the nomination of teachers was the right of the churches that held responsibility for the reserves where they worked, but the final appointments were made in Ottawa by DIAND.

During the period of the late 1950s and 1960s, there was little legislative action regarding Indian education. This was, however, a very important period in federal policy-making towards Indians. This period may be termed "the prelude to big change" or "re-examination period" in Canadian Indian administration. Following the Joint Committee of the Senate and House (1946-1948), which had begun to review traditional policy over Indian affairs in late of 1940s, the federal government shifted its policy to "one of equal opportunity for all Canadians." <sup>20</sup> In 1962, under John Diefenbaker's administration, the Glassco Royal Commission on Government Reorganization was formed. One of its recommendations was that, "the provision of educational services for Indian people should be turned over to the provinces, and wherever possible the curriculum in other Indian schools should be modelled

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<sup>19</sup> E. R. Daniels, "The Legal Context of Indian Education in Canada" (Ph.D. dissertation, University of Alberta, 1973), 109.

<sup>20</sup> Katherine Trumper, "An Examination of Status Indian Policy in Canada, 1951 to Present," research paper, Kingston, Queen's University, 1979, 10.

after provincial curriculums." <sup>21</sup>

None of the proposals suggested that Indians should have the right to participate in federal policy-making. As was the case one hundred years earlier, Indians still had to follow regulations imposed by the majority government. For this reason some scholars have criticized the new proposals as "little more than a new cover to an old book." <sup>22</sup> From the standpoint of policy-making, however, it constituted a departure from the traditional political philosophy. Decentralization of Indian administration including native education became a major concern of federal legislation.

In 1962 H. B. Hawthorn, the chairman of a special commission of the Parliament, released an extensive report on Canadian Indians. <sup>23</sup> This document was officially named "A

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<sup>21</sup> Ibid., 152.

<sup>22</sup> Ibid., 10.

<sup>23</sup> Dr. Harry Bertram Hawthorn (1910- ), was professor of Anthropology at the University of British Columbia. Since the 1940s, he devoted himself to Indian Study and Native American Education, and published The Indians of British Columbia: A Survey of Social and Economic Conditions (Vancouver: University of British Columbia, 1955), and The Indians of British Columbia: A Study of Contemporary Social Adjustment (Toronto: University of Toronto Press, 1958). In 1964, Dr. Hawthorn was commissioned by then Minister of Citizenship and Immigration to be the head of a committee concerned with the Indian social, educational, and economic situation. After several years of research, his committee turned in its final report to the Parliament, entitled A Survey of the Contemporary Indians of Canada (issued in two volumes and published in 1966 and 1967). The Hawthorn Report was a major contribution to the formulation of present Canadian federal Indian policy.



Survey of the Contemporary Indian of Canada: Economic, Political, Educational Needs and Policies," but it was more popularly known as the Hawthorn Report. The most important parts in this report concerned an analysis of the reasons for the failure of federal Indian educational policy, and recommendations on how to improve the Indian economic situation as quickly as possible. Finally, the report proposed that Indian educational policy-making should be based on co-operation among the government, the native people, and the missionaries. The Report emphasized that Indian education should meet the needs of the native people rather than imposing any ideas on them.

The main principles recommended by the Hawthorn Report later became guidelines for the new policy under the first Trudeau administration (1968-1974). For example, Hawthorn recommended a curriculum change that included a study of the role of the Indians in Canadian history. Furthermore, it suggested that the federal government encourage Indian parents to become more involved with both school administration and teaching. It pointed out that, from a long-term perspective, there was a desperate need for a parallel development of remedial programs, integrated programs, and Indian cultural preservation programs. Compared with earlier official reports and related documents, the Hawthorn Report was extremely far-sighted because its recommendations covered most aspects of Indian education. Its contents touched the core of federal

policy making concerning Indian education in that native peoples should have the right to participate in the education process. Native education was not a purely educational problem, but a more complex one involving Indian economic, political, and social psychological conditions. The report stated that the federal government must take the main responsibility for settling the so-called "Indian problem." The Report did not offer a complete solution for Parliament. But it laid the strategy for Trudeau's "new policy" by suggesting nationwide cooperation between the federal government, provincial governments, native band councils, and missionaries, along with co-operation between the majority and the minority people.

This period was not a highly productive time from the standpoint of legislation. It was a time in which people, both Indian and non-Indian, became more concerned with domestic stability and reform, and conscious of the real gap between the dominant and subordinate cultures. In other words, this was a period when the majority turned its attention toward domestic human rights problems. It asked if Canada was a healthy society--flexible and stable. If the answer was "Yes," then why did a serious conflict between the majority and minority exist for such a long time? People became convinced that it was time to change. As previously discussed, the underlying reasons for this shift in concern were several--the explosion of the Indian population, the

development of a nationwide Indian political movement, and the human rights movement among non-Indians.<sup>24</sup> Progress, however, came slower than expected. The major barrier was that

when the federal government transferred its education responsibilities to the province or to the local school boards, the arrangements amounted to the mere transfer of money without any attention being paid to Indian wishes or needs.<sup>25</sup>

When Pierre Trudeau became Prime Minister, he immediately initiated a series of meetings with Indian representatives across the country. This was the first time in Canadian history that the federal government had had a direct dialogue with the native people. A few months later, Jean Chretien, then DIAND's Minister, addressed Parliament on Trudeau's "new policy." It became known as the "Statement of the Government of Canada on Indian Policy, 1969," also called a "white paper." The main points of his address were as follows.

First: it was time to change traditional Indian policy. The government believed that

Separated but equal services did not provide truly equal treatment. . . . Indian people must not be shut out of Canadian life and must share equally in these opportunities . . . all men and women have equal rights. . . . This belief is the basis for the Government's determination to open the doors of opportunity to all Canadians, to re-move the barriers which impede the development of people, of regions and of the

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<sup>24</sup> See Chapter II, pp. 41-43.

<sup>25</sup> Canada, House of Commons, Minutes and Proceedings and Evidence of the Standing Committee on Indian Affairs and Northern Development, Issue No. 27 (June 22, 1980), 25.

country.<sup>26</sup>

Second: Indian people had the right to full and equal participation in the cultural, social, economic, and political life of Canada. Outsiders should not set goals for Indian people. "The goals of the Indian people . . . must spring from the Indian community itself--but government can create a framework within which all persons and groups seek their own goals."<sup>27</sup>

Third: to achieve the new goal, the policy called on Canadian society for co-operation, consultation, and negotiation, along with some give and take. Under it, the government sought a partnership to achieve real equality for all Canadians. The partners included the federal government, provincial and local governments, native peoples and their band councils, and the majority of Canadians.

Fourth: de-centralization of governmental power was to be the first step in fulfilling the new policy. The federal government would share its power and responsibility over the Indian affairs with the provincial governments and Indian band councils. In Chretien's words, provincial governments should "take over the same responsibility for Indians that they have for other citizens in their provinces."<sup>28</sup>

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<sup>26</sup> See the "Statement of the Government of Canada on Indian Policy, 1969," delivered by the Honorable Jean Chretien, the Minister of DIAND, 1969 (Ottawa: DIAND), 4-9.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

Fifth: services for Indians must come through the same government channels and agencies as for the rest of Canadians.<sup>29</sup> This new policy, however, created a major problem for the Indians in that they would lose their special legal status and protective privileges.

The new policy emphasized two points, the partnership among all who were involved in Indian affairs, and "equal opportunity for all Canadians." There was an attempt to deny the Indian's special legal status and the responsibility which had been taken by the government for a long time. Therefore, it was not surprising that, a few days after the statement's release, the new proposal was very strongly rejected by the native people. In a document named "Citizens Plus," issued by Alberta Indian chiefs, native people protested that

the only way to maintain our culture is for us to remain as Indians. To preserve our culture it is necessary to preserve our status, right, lands and traditions. Our treaties are the bases of our rights.<sup>30</sup>

For many, it was hard to understand why the native Americans rejected this new policy. "How could they refuse

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<sup>29</sup> Ibid., 9.

<sup>30</sup> The chiefs of Alberta, "Citizens Plus," in Waubageshig, The Only Good Indian (Don Mills: New Press, 1974), 10.

"Citizens Plus", also known as "Red Paper," was diametrically opposed to the "Statement of the Government of Canada on Indian Policy, 1969" (also known as White Paper). See this chapter, p. 64.

equal right and equal opportunity?" <sup>31</sup> There were three reasons for the rejection. First, according to the new policy, the federal government would become the financial sponsor. Consequently, whenever or whatever Indians wanted to do, they had to deal with different government agencies which meant more bureaucratic barriers were placed in their way.

Second, from the standpoint of fostering Indian culture, the new proposals were harmful, because they compelled native education to follow the same curricula formula as that for whites. This would cause native culture, history, language, and customs to be ignored. In the minds of most Indians, this was unfair treatment, because it meant total assimilation.

Third, separation of Indians from the majority of Canadians had been a traditional policy for a long time. The result was that their special legal status had become a basis of Indian social life. Now, the federal government was going to remove this protection which would force Indians to compete with the majority despite their severe economic and cultural handicaps.

In fact, the last reason was the primary concern of most Indians. In response to issues such as the future of Indian culture, the relationship between cultural tradition and modernization, between the proposed equal rights and the present special legal status, Indians did not hesitate to tell

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<sup>31</sup> To find an answer to this question, in May of 1990, I visited Indian reserves in northern Quebec and Ontario, and discussed this issue both with Indians and non-Indians.

me that they needed modern technology and education to become more competitive with the majority. They wanted to improve their living conditions and economic situation, and to participate fully in policy-making. They no longer wanted to sit on the sidelines and listening to someone tell them what to do. But they demanded that this transformation should be directed by the Indians themselves. For the time being, there was ample reason in their minds to keep their special legal status.

The Indian reaction to the new policy presented a picture where there was a large economic, political, cultural, and psychological gap between the European majority and Indian minority. From the standpoint of the history of Canadian legislation regarding Indian affairs, this dispute marked an important turning point in federal policy-making. It was the first time in Canadian history that the federal government directly discussed an unsettled issue with the natives. Its level and its scope had gone far beyond the traditional legislative process. This debate greatly affected the future of federal Indian education policy making.

Following the negative Indian response, the Canadian Parliament established a Standing Committee headed by Ian Watson to examine the issue of Indian education. After two years of investigation and research, the Committee forwarded its final report, known as the Watson Report, to Parliament in 1972. It accurately described Indian living conditions and

educational deficiencies. According to the report, by the late 1960s some Indian communities had an adult male unemployment rate over 40 percent and the student drop-out rate was four times the national average. Fewer than 15 percent of all teachers in Indian schools had had special training in Indian culture, such as Indian history, customs, religion, and social organizations. Fewer than 10 percent of all the teachers in Indian schools had any knowledge of native language.<sup>32</sup> The Watson Report also included seventeen recommendations concerning Indian education. Some of those recommendations were: reforming the present public education administration system, increasing the contents in text books on Indian cultural heritage, improving the quality of teaching staff in Indian schools, and encouraging more participation by Indian parents in Indian education.

At the same time as the Watson Report, the National Indian Brotherhood (NIB) published a proposal entitled "Indian Control of Indian Education." The basic points in this proposal were that Indian education should be locally controlled, parents should participate in educational decision-making, Indians should have the first voice in any policy focusing on Indian affairs, and the education of the younger generation should be seen as a key issue for the future of Indians.

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<sup>32</sup> Taken from Trumper, "An Examination of Status Indian Policy in Canada, 1951 to Present," 21-22.



Finally, in 1973, the present federal policy towards Indian education took shape in the "Statement of Department of the Indian Affairs and Northern Development." In brief, the federal government accepted NIB's recommendation that Indians should have control of their own education and that native people should have the right to make their own decisions and be involved with their education. The statement pointed out that "Only when the People are involved can the classroom reflect the culture of the students. Only when the culture is taken fully into account, can education be fully rewarding." <sup>33</sup>

The federal government emphasized that the main purpose of the new policy was "to help young native people prepare themselves for a wider range of employment opportunities." <sup>34</sup> Again, the statement stressed that nationwide cooperation was necessary. <sup>35</sup> In other words, the statement sought to re-design the partnership between the federal and provincial governments and the Indian band councils and made clear the specific responsibility of each part.

As one aspect of this cooperation, the federal government

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<sup>33</sup> "Statement by the Honorable Jean Chretien, Minister of Indian Affairs and Northern Development on Education," May 24, 1973, presented to the Standing Committee of the House of Commons on Indian Affairs and Northern Development (Ottawa: DIAND), 2.

<sup>34</sup> Ibid., 3.

<sup>35</sup> Ibid.

decided to switch the function of DIAND from total control of Indian education to one of financial support and advice. In the words of the statement, DIAND was to be an agency

to which, bands can turn as they feel the need for consultation, for discussion, and for provision of specialized educational services; however, the control and responsibility will rest with the bands to chart their educational course seeking whatever assistance they require from whatever source they desire. <sup>36</sup>

Generally DIAND takes responsibility for providing the facilities required for native educational programs. It also provides for full involvement of band councils and assists them to improve the curriculum. Meanwhile, with the co-operation of various educational institutions, DIAND directly manages some educational programs to meet the needs of the native people, such as the Native Cultural/Educational Centers Program (NCECP), and Post-Secondary Education Assistance Program (PSEAP).

NCECP began in June 1972 and was funded by the federal government. By the end of 1980s, more than seventy centers were located in all Canadian provinces. These cultural centers offer language and vocational training, as well as programs for preserving native arts. The design of the projects was very flexible and varied from region to region, depending on the needs of specific groups. For example, River Desert Reserve Cultural Center, located in northern Quebec, had six staff members in 1990 managing five programs for the

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<sup>36</sup> Ibid., 14.

community. Its activities include native language broadcasting (three times per day), monitoring of environmental pollution, collection of historical materials of the tribe, collection of Indian art works and publication of a newspaper, named Kitigan Zibi Tabadjmo Mainahgan.<sup>37</sup> According to DIAND sources, the budget for NCECP from 1974-1978 was about \$42 million.<sup>38</sup>

PSEAP, which was started in 1975, was an important initiative managed by DIAND. The overall goal of PSEAP was, to provide post secondary education financial assistance for eligible Indian and Inuit students for them to obtain qualifications and employment at technical, professional and managerial levels, . . . To encourage regional Indians and Inuit to acquire university, technical and professional qualifications so that they become economically self-sufficient and that they may realize their individual potential for contributions to the community and Canadian society.<sup>39</sup>

Based on this understanding, DIAND tried to increase the enrollment of native students in institutions of higher learning through this program. It hoped to improve the teaching quality at the native schools and reduce the high unemployment rate among the native people.

Meanwhile, DIAND tried to improve the human resources of Indians to meet the needs of their economic, political and

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<sup>37</sup> This is the Algonquin name of the newspaper managed by the band council of River Desert Reserve.

<sup>38</sup> See the Statement of Jean Chretien, May 24, 1973, 10.

<sup>39</sup> Evaluation Branch Corporate Policy, "PSEA Evaluation Study (Final Report)," (Ottawa: DIAND, January 1985), 15-18.

cultural development. In the period 1974-1983 the annual expenditures for PSEAP increased from \$3.3 million to \$34.8 million. Indian enrollment in higher educational institutions increased from 2,100 to 6,500, a three hundred percent increase. It should be noted that there is not only a gap between native and majority educations, but also a gap among the natives located in different areas. In this group of students, 41 percent came from Ontario, 16 percent from Alberta, while only four students came from the Yukon and North-West Territories.<sup>40</sup>

Within the new partnership, band councils, as the representatives of the native people, were permitted to manage schools partially or completely. Under the new policy, they have the right to participate in any negotiation concerning Indian education and join school boards at various levels.

The provincial governments were a third partner. Under the new policy, by 1973 about 60 percent of Indian school children attended schools operated by the provincial educational bureaus. Based on agreements with Ottawa, DIAND helped Indian band councils negotiate tuition agreements with each individual provincial government. As the agency of regional administration, the provincial government was responsible for improving teaching methods and the curricula for both Indian schools and public schools involved with native education. The aim was "to make education more

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<sup>40</sup> Ibid.

consonant with Indian needs." <sup>41</sup> Provincial legislation enabled Indians to be elected to provincial school boards.

Through federal funding DIAND encouraged universities and various educational institutes to become involved in Indian education. For example, McGill University pioneered course units relating to Indian culture, language, and education for use by Indian and non-Indian students. McGill also offered courses for the in-service training of native teachers. <sup>42</sup> DIAND emphasized the contents of Indian school education, and refresher training for teachers, especially non-Indian teachers. The 1973 Statement on Indian Education required all teachers in federal schools to take courses in inter-cultural education and native studies.

The Statement also promised to continue the direct dialogue with the native people, including their band councils and political organizations. It stated,

Implementation will not be rushed nor forced nor otherwise brought into existence except as requested by Indian parents or bands or other local community organizations representative of Indian parents. <sup>43</sup>

Recently DIAND has been trying to deal with the dilemma

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<sup>41</sup> See the Statement of Jean Chretien, May 24, 1973, 7.

<sup>42</sup> Under this program, each semester, the university will assign some professors to make circuit teaching within a specific Indian community's area. Native teachers can take the courses in their service. If they pass the yearly examinations, they can obtain their teachers' certificates after several years.

<sup>43</sup> See the Statement of Jean Chretien, May 24, 1973, 14.

of retaining financial control while trying to understand that Indian control of Indian education means that DIAND has to share more power over the Indian affairs with the native people. The problem is that DIAND's capability to respond to the needs of native people is limited by federal administration. Meanwhile, DIAND has to deal with the Indian's requirements on a daily basis. Because the Indian's economic and political situation varies from band to band, Indian control of Indian education has not yet been automatically granted to all Indian schools on the reserves. Consequently, the effect of the new policy towards Indian education is still questionable. During the 1970s, DIAND was assigned a new minister almost every year. This fact alone helps explain the real problem in implementing the new federal policy towards Indian education. Change in Indian education will take a much longer time than most people expected.

## CHAPTER IV

### SOME POINTS STILL OPEN TO QUESTION

To examine Canadian federal policy towards Indian education, it is necessary to analyze it both in its historical context and in its legislative process. The real problem in the relationship between the European majority and Indians is the failure of the majority to recognize the complex and subtle cultural characteristics of native people. Meanwhile, the traditional federal government policy created a barrier which prevented native peoples from recognizing and appreciating the value of white culture. For a long time, there has remained a large gap between the two ethnic groups and their cultures. Historically, the two major parts of the traditional federal policy towards Indians, assimilation and segregation, always worked like the two sides of a coin. Besides physically separating Indians from the majority, this policy created a cultural and psychological obstacle to communication among the whole society. Because it always takes a much longer time to change people's ideas than to change their material condition, this barrier has affected and will continue to affect the relationship between the two groups for a long time. From the standpoint of federal policy-making, this is a major reason for the "Indian

problem." Since the late nineteenth century, the Canadian federal government has shown increasing concern for native education in an effort to bridge this gap.

After World War II, more and more scholars, especially non-Indian scholars, began to appeal for the preservation of Indian culture. There were different perspectives about this subject. Often, when people talk about Indian culture, they conjure up images of art, totem poles, religious dancing, canoes, tepees, moccasins, feather headdresses, etc. In other words, what remains of Indian culture are some customs, rituals, and material items. Indian culture has become a collection of objects and visible rituals, a symbol of decline and fall, of poverty. Only a few schools emphasized that

Culture is everything material and non-material, learned and shared by people as they come to terms with their environment. It includes the totality of a group's shared procedures, belief system, world view, values, attitudes and perceptions of life implicit in the group's material objects. Every culture is faced with the task of coming to terms with the ecological circumstances in which it finds itself.<sup>1</sup>

The present society of Canada is a society denominated by white cultural traditions and social values. When the Indians failed to meet the requirement of the mainstream, this failure was seen as a shortcoming of the "poverty culture." This, in turn, lowered the expectation of the majority people

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<sup>1</sup> Don McCaskill, "Revitalization of Indian Culture: Indian Cultural Survival Schools," in Indian Education in Canada, vol. 2 The Challenge, ed. Jean Barman, Yvonne Hebert, and Don McCaskill (Vancouver: University of British Columbia Press, 1987), 155.



concerning the Indians. Furthermore, this negative concept of Indians has had a psychological effect on the education of both Indians and non-Indians. Consequently, the longer it takes to reverse matters, the more difficult the Indians' situation will be. It will be harder to improve Indian education. This is a vicious circle. From this standpoint, Vernon R. Douglas observed:

Native education is not only for native people. It is designed to promote mutual respect and understanding between the native and non-native segments of Canadian society . . . . The definition of native education involves two important initiatives: (a) the education of native people and, (b) the improved education about native people for everyone.<sup>2</sup>

In fact, the artistic and material aspects of Indian culture are only a visible part of this culture. To achieve an understanding of Indian culture, one must view Indians in the framework of their world view, life style, and belief. This should be one of the basic conditions of federal policy making concerning "Indian affairs." As pointed out previously, the relationship between the majority and the native Americans has been and will be a long-term issue in Canadian social and political life.

Education is a part of culture, as well as a basic means to preserve culture. Like the education of all nations, the primary function of Indian education is the socialization of

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<sup>2</sup> Vernon R. Douglas, "The Education of Urban Native Children: The Sacred Circle Project," in Indian Education in Canada: The Challenge, 183-184.

the young into society. There are two steps in this process. The first step occurs through child-rearing practices within the family, which is called "family education," or the "initial step." Basically, parents and relatives play a very important role at this stage. Their influence upon children usually carries on the national cultural tradition. The second step of socialization is completed through some sort of formal institution, or "school." Through an appropriate curriculum, students are taught essential knowledge which the majority people in the community believe is necessary to carry out their cultural identification, moral standards, and unification as a specific group. The adoption of new ideas from other groups is also helpful.

When Europeans immigrated to this continent, Indian education had not advanced past the first step. The arrival of Europeans upset Indian education. First, Indian children were separated from their parents and sent to European type boarding schools or industrial schools. From the middle of the nineteenth century, due to the reserve system, Indians were completely separated from the majority Canadians. Meanwhile, through government and missionary education institutes, Indian children acquired European values and beliefs, and had European life styles imposed upon them. Younger generations were separated physically, geographically, and spiritually from their cultural tradition. Thus, in an educational system which believed in the right and superiority

of one group over another, cultural conflict occurred with increasing frequency. In fact, the problem is a double-sided one. Federal policy making is one thing, but native response is another. No matter how complex matters are, the core of this problem is Indian human rights. One of the basic conditions for solving this problem is improving the Indian economic situation. However, the attitude of the white majority has to be changed.

As discussed in Chapters I and III, the Indians' response to the federal government's policy varied from time to time, and from generation to generation. In brief, before the mid-1960s, the Indian attitude towards education was a negative one in which they used passive resistance. Destroying school buildings, running away from the schools, or dropping out, were, in most cases, the usual means to resist government imposed education. Although the federal government used police to enforce Indian student attendance, it did not work. Consequently, each year the federal government wasted large sums of money on Indian education. According to Jean Chretien, then Minister of DIAND, the total appropriation for Indian education in 1959 was \$25 million. By 1971, this had increased to \$120 million.<sup>3</sup> Unfortunately, Indian Education never achieved the goal which policy-makers expected, and instead it became the target of public censure. In 1972, when

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<sup>3</sup> Jean Chretien, "A Progress Report on Indian Education," The Northian 8, no. 2., (December 1971): 34-37.

the National Indian Brotherhood (NIB) released its proposal on Indian education, native people presented their ideas about their own education. Since then, "Indian control of Indian education" has become a very popular idea in Canadian political life. Originally, this idea came from a document which was proposed by NIB, entitled "Indian Control of Indian Education." It asserted that modern Indians, through their education, should learn "pride in one's self," "understanding one's fellowmen," and "living in harmony with nature." To achieve these goals, NIB suggested that education should meet the needs of the native people and provide a setting in which the Indian children

Can develop the fundamental attitudes and values which have an honored place in Indian tradition and culture. The values which we want to pass on to our children, values which make our people a great race . . . . They are found in our history, in our legends and in the culture. <sup>4</sup>

The document also proposed that present Canadian education should be reformed on a nationwide basis. Canadian children of all races should have an equal opportunity to learn about the history, customs, and culture of their country's original inhabitants. NIB was also concerned with Indian parents' responsibility and participation in school education, local control of Indian education, and the responsibility of the federal government to provide education

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<sup>4</sup> National Indian Brotherhood, "Indian Control of Indian Education," Indian Education Paper, Phase 1, published under the authority of the Honorable John C. Munro, P.C., M.P., Minister of DIAND (Ottawa: 1982), Annex A, 1-2.

to all status Indian people. The most important point is that NIB, as a voice of the native people, believed that, from the standpoint of jurisdiction, "the federal government has legal responsibility for Indian education as defined by the treaties and the Indian Act. Any transfer of jurisdiction for Indian education can only be from the Federal Government to Indian Bands." <sup>5</sup> The band councils should be authorized to "determine the relationship which should exist between the Band Council and the school committee." <sup>6</sup>

Later, many scholars began to discuss this specific issue. Most of them believed that "Indian Control of Indian Education" should cover five areas--politics, administration, finance, personnel, and curriculum. <sup>7</sup> Political control meant "the transfer of power from the federal government to local band educational authorities." <sup>8</sup> The band councils should be allowed to participate in the decision making concerning the Indian educational process. Administrative control meant that

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<sup>5</sup> Ibid., 5.

<sup>6</sup> Ibid., 1-11. According to the paper, "Band education authority" means that the band council would be responsible for: budgeting, spending and establishing priorities, determining the type of school facilities required to meet local needs; directing staff hiring and curriculum development with special concern for Indian language and culture, administering the physical plant, developing adult education and upgrading courses, . . . co-operation and evaluation of education programs both on and off the reserves, etc.

<sup>7</sup> Jean Barman, Yvonne M. Hebert, and Don McCaskill, "The Challenge of Indian Education: An Overview," in Indian Education in Canada, vol. 2 The Challenge, 9-12.

<sup>8</sup> Ibid.

the Indians should control administration of their school programs, including the management of district education along with co-operation concerning various services. Financial control sought to provide the band council and its educational director with the power to make their own budget agreements, negotiate with federal or provincial governments, and to manage their own funds to meet the needs of local education. In order to guarantee these types of control, the management of personnel was very important. From NIB's standpoint, this meant that the band councils, band school boards, and band education authorities, should have the right to select teaching staff, hire teachers and decide on employee salaries. Finally, curricular control focused on real school education for young Indians. Native teachers and education directors, whom I interviewed, all agreed that they needed "to teach the young generation modern scientific knowledge." <sup>9</sup> The reserve day schools which I visited had almost the same curriculum, teaching methods, and examination and evaluation processes as that of the provincial public schools. For example, English, computer science, mathematics, biology, and physics were the main courses offered in these schools. Meanwhile, they all emphasized retaining Indian cultural identification. To achieve this goal, most of them had a set of courses which

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<sup>9</sup> Notes and tapes of my interviews, May 1990, Northern Quebec and Northwest Ontario.

covered "Native language" and "Social Studies."<sup>10</sup> In River Desert Reserve School there was a standard native language course for all students based on the academic levels. Meanwhile, every afternoon, there was also a native language training program open to those students who wanted to learn more. Participation in this program required Indian students to speak only in their native tongue during class. When I visited their class, I asked them some questions, and they answered me in their native tongue. Their teacher translated the answers into English. Almost all scholars agree that retaining one's native language is very important in retaining a specific cultural identification. The actual situation, however, on many Indian reserves is that fewer and fewer native people still use their native language either in school or at home. In most cases, the native language has become a "foreign language."

From the viewpoint of pure education, curricula control plays an very important role within these five aspects of Indian control of Indian education, because it can determine socialization and the survival of the Indian culture. In the entire educational process, we find that these five aspects affect each other. The program of training native teachers

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<sup>10</sup> The native teachers in these reserves have edited their own text books and other reference materials. Since there are many different Indian tribes in Canada, their native languages vary from one to another. None of the educational institutions in present day Canada have initiated any proposals to standardize this course.

takes a long time. To meet the need for teachers in the reserve schools, it is has become necessary to hire some people from outside the reserves. One problem is that average teaching conditions on the Indian reserves are still poor when compared with those in the public schools. Under these circumstances, if the reserve schools want someone to work there, they must pay a higher salary than public schools. Often they are not able to do so, which has resulted in a shortage of teachers, both in quality and quantity. This has been a common problem in the federal and band controlled schools.

Indian control of Indian education as an ideal has deep roots. According to materials in the National Archives of Canada, some native leaders began to advocate this idea as early as 1948. At a conference held in British Columbia, Mrs. S. Cook, a native from Alert Bay, British Columbia said, "What we are struggling with today is the teaching of the white man who did not understand the Indian and taught that these things which were good were bad. They did not understand his past." <sup>11</sup> Chief William Scow concurred by saying, "The only solution is education." <sup>12</sup> In 1965, some scholars, such as Eleanor Brass, began calling for the federal government to return power to the natives. She pointed out,

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<sup>11</sup> Report of Conference on Native Indian Affairs at Acadia Camp, 54.

<sup>12</sup> *Ibid.*, 53. Chief William Scow was then president of Native Brotherhood of British Columbia.



Right along from the beginning, under the Indian Act, there's no provision for the Indian to have a say in his own affairs. The Act may stipulate in some clauses that an Indian council may make laws and regulations, but when all is said and done, it is the Governor-in-Council who has the final say.<sup>13</sup>

In May 1969, before NIB presented "Indian Control of Indian Education", Walter Currie, a native who was president of the Indian-Eskimo Association of Canada and Assistant Superintendent of Supervision in the Ontario Department of Education, addressed the House of Commons Standing Committee on Indian Affairs and Northern Development. He pointed out that,

One of the simple things wrong about it, and one of the most obvious ones relative to co-education for Indian people is the fact that it does not include Indian parents . . . .

Indians must be recognized as a people who do exist, who have existed and who are diversified in language, in culture and in where they live . . . .

The teacher must be prepared to understand and must be made aware of the fact, that he or she must hang: serve the children and the community . . . .

Integration must, and should become a two-way street in at least the education program . . . .

Education of non-Indians about Indians, the education of Indians about Indians, and the education of Indians about non-Indians . . . .

The only thing the Indian has left to him that is really Indian, aside from the color of his skin, is his language . . . .

[Economically] if we build a beautiful school, beautifully equipped with electric lights, hot and cold running water...provide an excellently trained teacher, . . . but the children go home every night to over-crowding, to poverty, to a welfare community, to a negative community, then the education is a waste of time, money and

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<sup>13</sup> Eleanor Brass, "New Declaration of Rights," Regina Leader Post, 1 January 1965.

energies. <sup>14</sup>

Twenty-one years later, when I visited Indian reserves, I was deeply impressed by the contrast between average Indian living conditions and the school conditions.

Besides the theoretical discussion, in 1970 the Indians of Blue Quills School in Alberta initiated a movement to control their school. This school was originally operated by the Catholic church, and had been funded by the federal government since 1931. In October 1969, the native people started negotiating with the federal government's regional agency to transfer administration to local control. More than three hundred people took part in a month-long sit-in. When DIAND rejected their proposal, the native delegation went to Ottawa and staged a sit-in at DIAND until the government capitulated to their demands. In the summer of 1970, Blue Quills became the first school in Canadian history to be controlled by native people. Under the agreement between Blue Quills and the federal government, the Blue Quills Education Center (BQEC) was granted the power to make major decisions about their school, including selection of members for the school council from the seven Indian reserves located in that area; direction, management and operation of their school on daily basis; personnel selection; and establishment of teaching objectives and methods. Most importantly, the school

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<sup>14</sup> Gerald Walsh, Indian in Transition (Toronto: McClelland and Stewart, Ltd., 1971), 179-183.

council took on the responsibility to evaluate the quality of school education. Meanwhile, the federal government agreed to fund BQEC. For example, in the 1984-1985 fiscal year, federal funding for each student in high school was \$3,500. Each resident student also was paid \$26.50 per day. Federal funding also covered the cost of post-secondary education.<sup>15</sup>

There can be no doubt that it will take a long time to achieve the goal of "Indian control of Indian education." This problem needs the co-operation of both sides. The federal and provincial governments must keep their word about sharing power with native people. They must not break their promise that, "We want to see native people making their own decision and becoming fully involved in education . . . . The Department will do everything possible to involve native people in school management and administration." <sup>16</sup> Native people must accept the fact, however, that Indian control of Indian education is only one step towards full control of their affairs. From the very beginning, the problem of education has not been purely an educational one, but has been affected by various circumstances, such as Indian economic conditions, politics, and psychology. The future of Indian culture is not Indian cultural fundamentalism (going back to the golden age before the Europeans' arrival), but

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<sup>15</sup> L. Bashford and H. Heinzerling, "Blue Quills Native Education Center: A Case Study," in Indian Education in Canada, vol. 2 The Challenge, 126-141.

<sup>16</sup> See the Statement of Jean Chretien, May 24, 1973, 2-4.

modernization of the Indian culture under the actual circumstances. As Jean Barman said, "The challenge of Indian education extends beyond Indian peoples to all Canadians."<sup>17</sup>

Discussing "Indian control of Indian education," has raised another question: "How to evaluate integration in the historical development of Indian education?" The attitude of Indians towards integration in education has been generally negative. Since the middle of the last century, integration has been linked with assimilation. Consequently, in the 1960s when the federal government tried to switch its Indian educational policy from separation to a wider and deeper extent of integration, many Indians raised concerns on a national level. Integration of education means that students who have different cultural backgrounds study and play together. Theoretically, integration should help the students discover their common points rather than the distinctions among them. When students of different cultural groups get an equal opportunity to show others the real picture of their cultures, many existing misunderstandings should be cleared up. Unfortunately, in practice, integration has been abused and misunderstood for a long time. It is not surprising that when the Trudeau administration proposed to continue the policy of integration in Indian education, natives and non-Indian human rights activists strongly rejected this policy.

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<sup>17</sup> Jean Barman, Indian Education in Canada, vol. 2 The Challenge, 17. Barman is a lecturer in history at the University of British Columbia.

Historically, in the early seventeenth century, Catholic missionaries in new France integrated their schools. It was considered beneficial for native children to be at school with white children. The goal of the French integration program was acculturation and assimilation. Under the direction of the Catholic churches, this program concentrated mostly on religious matters and provided some training in trade and farming. After 1760, when the British took over the French colonies in North America, they continued to carry out an educational policy of integration. In the middle of the nineteenth century, British colonial education turned in another direction. About 1848, the first two industrial schools were established under the auspices of the Wesleyan Methodist Society, at Alderville and Muncey in what is present day Ontario.<sup>18</sup> From this date onward, most non-Indian organizations tended to believe that natives should be educated apart from majority inhabitants. Generally, this idea became a main guideline for later Canadian Indian education policy-making. To explain this change, many non-Indian scholars and official institutions tended to emphasize that the Indians needed to be protected from social exploitation. In reality, the reason is that proponents of Canadian development needed land, natural resources, and skilled immigrants from Europe. In other words, European immigrants needed more land, and the new Confederation needed

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<sup>18</sup> Indian Education Paper, Phase I, Annex C, 3.

political and economic stability. Consequently, the Indians' struggle for their territories was seen as the barrier to economic expansion. Separating the races then became the guideline in federal policy-making.

After World War II integration was again discussed in the Canadian Parliament and put into practice as a part of the federal educational program. According to Andre Renaud, by the end of the war there were 93 Indian students attending integrated schools.<sup>19</sup> By 1969 the number of students who attended integrated provincial schools increased to 7,713, while 5,686 were enrolled at reserve day schools or residential schools.<sup>20</sup> The 1960s was also the time when the discussion about integrated education reached its high tide. Three elements of Canadian society--the federal government, the missionaries, and the native people--were involved in this debate, and their opinions greatly affected future federal policy-making. There was no question the federal government held the belief that

Integration should protect and foster the Indian identity and the personal dignity of each child. Integration should permit a child to augment the natural abilities which derive from his culture and family, with academic and professional life as a productive citizen of his community and

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<sup>19</sup> Andre Renaud, Education and the First Canadians (Toronto: Gage Educational Publishing, Ltd., 1971), 15-16.

<sup>20</sup> Jim Stott, "Indian Education: Dawn of Equality or Death of a Culture?" The University of British Columbia Alumni Chronicle 23, no. 2, (Summer 1969): 4-9.

country.<sup>21</sup>

Christian missionaries had almost the same idea. Based on their experiences of working with the native people for more than three hundred years, they strongly supported an integration policy. The Catholic church thought that education for native people "is an integration process with each institution or factor co-operating harmoniously until the objective is reached."<sup>22</sup> The Presbyterian church of Canada declared that,

Our church is strongly in favor of having Indian pupils attend the ordinary public or community schools of the district. We believe that the experience of growing up in the ordinary day school is an all-important one for all Canadian children, regardless of race or creed.<sup>23</sup>

Besides this, many churches appealed to the government to reform the curriculum in integrated schools. Their point was that teaching history, customs, and languages of the Indians was not only a matter of Indian pride, but would enrich the general culture of Canada.

When the federal government proposed its new policy in

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<sup>21</sup> Jean Chretien, "A Venture in Indian Education," speech delivered in Regina, Saskatchewan, June 23, 1972, in Indian Education Paper, Phase I, Annex D, 4-5.

<sup>22</sup> Oblate Fathers Indian-Eskimo Welfare Commission, Joint Committee, 1960, 727-28, taken from Harry Bertram Hawthorn, A Survey of the Contemporary Indian of Canada: Economic, Political, Educational Needs and Policies, 2 vols. (Ottawa: Department of Indian Affairs and Northern Development, 1966-1967), vol. 2, 56.

<sup>23</sup> The Presbyterian Church of Canada, Joint Committee, 1960, 786, in Ibid., vol. 2, 59.

1969 of allowing provincial governments to take over the responsibility for Indian education and to push integrated education to a new level, the Indians presented their proposal-- "Indian Control of Indian Education," to the Parliament.<sup>24</sup> As a result, "Survival Schools" emerged. "Survival" here meant the survival of Indian culture in a society dominated by white culture. The so-called "Survival School" was one administered by and for Indians. All of them were located on reserves.

On September 6, 1978, a large demonstration occurred in Mohawk reserves near Montreal. The reason for this demonstration was the so-called "Bill 101" or "Provincial Language Charter" which had been issued by the Quebec Government. According to this charter, all the public institutes including school boards were to use French as the only official language and to apply for and obtain a francization certificate. In order to restrict English education in Quebec, the Bill required the parents whose mother tongue was neither English nor French to enroll their children in French language schools. Also, it required the English language schools to give their students a working ability in French. Under this provincial language charter, Indians were subject to its conditions when they were not on the reserves. Those who lived on the reserves, but attended English schools off reserves, had to have certificates of

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<sup>24</sup> Indian Education Paper: Phase I, Annex A, 1-11.



French eligibility. This Bill was rejected by the Indians for two reasons. First, part of the purpose of this charter was to control the nature of immigrants into Quebec and preserve the French culture. The fact was that Indians were the first nations of North America. Concern about cultural preservation only focussed on French culture. Imposing the language charter on the native people was unfair because it treated the natives as "foreigners" in their own land. Second, the average educational level of Indians was much lower than that of the majority, especially in their ability to use either English or French. If Indian children could not be exempt from this law, many of them would have to drop out of the public schools. Obviously, an educational problem once again became a political issue. Indians asked the question "Why did the native people always have to do what other people wanted rather than what they themselves wanted?"<sup>25</sup>

There are two reasons for native people's negative attitudes toward present federal integrated educational programs. First, for a long time "integration" just meant transferring Indian students from a reserve day school to the provincial public school, which was usually outside of the reserve. The family in Indian society, however, is still the

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<sup>25</sup> The Caughnawaga Indians belong to the Mohawk tribe, a branch of the Iroquois. Part of the tribe lives in New York state of the United States, and part lives in southern Quebec near Montreal. For detailed information on this protest movement, see the reports in The Gazette (Montreal), 7 September 1978, 4, and 12 September 1978, 3.

fundamental unit. If children are forced to cut off their connection with their communities and have to accept a foreign culture and its values, this education will not help the native people. Ironically, it will, in a psychological sense, endanger the younger generation's cultural identity. Second, integration has been a one-way exchange process for a long time. When Indian students were in the same classroom as white students, they were taught about white civilization, life styles, customs, history, and religion. This kind of education made Indian and non-Indian children feel out of place. Whites were proud of their culture blindly, but Indians began to feel that their culture was worthless. As an Indian, Fred Favel pointed out very sharply,

Integration within the concept of "being like me and I will accept you" is not integration. It is assimilation . . . . Integration is you and I meeting on the same level and getting along with each other. I must be taking in some of the things you talk about and they will become part of me [and] vice-versa . . . . If integration is going to work at all, the system has got to realize that it is a two-way street.<sup>26</sup>

In most cases, early integration has been a different label for assimilation. Now when native people emphasize Indian control of Indian education, when they set up their survival school, another question is raised, "Separate again?"

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<sup>26</sup> "Integration or Assimilation?" British Columbia School Trustee: Education 26, no. 2, (1970): 15-18.

Fred Favel was the editor of an Indian newspaper, The First Citizen, in British Columbia in 1960s. This information came from an interview with him by the British Columbia School Trustee.

No doubt, Canadian native school education should be kept under Indian control with separate management as a temporary means for them to achieve the political goal of completely participating in Canadian national affairs on an equal basis with other ethnic groups. As Dianne Longboat said, "In many ways, gaining control over education is a means of regaining control over a nation's survival as a distinct people." <sup>27</sup>

In other words, from a long-term point of view, what concerns native people is that "Indians would fit into Canadian society as an identifiable part of it . . . [but] would not be politically and economically separate, nor would they be swallowed up by the larger society." <sup>28</sup> In fact, if we look at the history of mankind, we see that when different cultures meet, the communication between peoples who have different ethnic backgrounds occurs through various channels, such as intermarriage, trade, and even war. Thus, none of the groups are able to keep their pure original culture. Change is inevitable. Therefore, cultural integration is a natural and reasonable process in any multicultural society.

To solve the problem of retaining one's specific cultural identification, separation (either passive separation or self-separation) is not the final solution. For more than one hundred years the separation imposed by the white government

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<sup>27</sup> Dianne Longboat, "First Nations Control of Education: The Path to Our Survival as Nations," in Indian Education in Canada, vol. 2 The Challenge, 23.

<sup>28</sup> Walsh, Indian in Transition, 151-152.

on native people almost destroyed Indian culture. Separation policy caused the Indians to lose their hunting and trapping lands. Consequently, the Indian culture lost its traditional economic base. Conversely, since the natural condition of Indian reserves is usually poor, the Indians have been deprived of an opportunity to develop a modern economy. Thus, there is no possibility to set up a new base for their culture under the present economic conditions. Indian culture has been caught in a critical dilemma: it has lost its old base, but has not found a new base. Can self-separation rescue Indian culture? It is doubtful. The key problem of today's Canadian integrated education is not an integration process as a means of education for various ethnic groups, but the condition of integration, or under what circumstances to implement integrated education. Currently, there is an ever widening economic gap between the majority and Indians. According to the 1967 Hawthorn Report, among the 35 representative bands, the percentage of employable males out of employment more than six months per year was 84 percent, and annual earnings of 62.1 percent of workers was less than \$2,000. <sup>29</sup> This Report presented the general idea that "the standard of reserve living must change before children will feel comfortable in school and before true socializing between

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<sup>29</sup> Hawthorn, Survey, vol. 1, 48.

Indians and non-Indians can take place." <sup>30</sup> By 1976, the average income of Indian families (for those where there was an income) was only \$1,959 per year. <sup>31</sup> Unemployment and poverty cause other social problems, such as suicide and violent crime. According to Trumper's paper, in 1973 the Indian suicide rate was four times the national average. Twenty-eight per cent of all male inmates and a quarter of all female inmates in Canada are Indian and Metis. <sup>32</sup> One major problem that caused a lot of the frustration in DIAND is the disparity between the necessity of Indian education and their poverty, which vitiates the effect of educational efforts.

As mentioned above, for several hundred years, Indians have been isolated in certain parts of Canada. Most of these areas are poor, lack adequate transportation, have no natural resources for industry, and are not arable. Indians have been excluded economically, politically, culturally and psychologically from the mainstream of Canadian life. For the native people who lived on the reserves which I visited in 1990, "survival" was still the biggest issue of their daily life. For example, in Rapid Lake, the total population was 280, but the employment rate was less than 10 percent. Thus, most of the people on this reserve depend on federal social

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<sup>30</sup> Ibid., vol. 2, 145.

<sup>31</sup> K. Trumper, "An Examination of Status Indian Education Policy in Canada 1951 to the Present," 31.

<sup>32</sup> Ibid., 32.

welfare checks. The general attitude of this native group was that they prefer to improve their economic condition before their education. Yet the poorer their education is, the less opportunity there will be for them to advance economically. The less opportunity there is, the higher the drop-out rate will be.

To conclude, I would like to quote the following words from Ken Whyte,

If we are truly seeking a culturally pluralistic society in which diverse cultural groups can truly develop their own culture and values within the Canadian context, these groups must be recognized as legally constituted entities with official standing in society. If they then have access to their share of the larger society's resources this will allow them greater control of decisions in their educational and education process. This will allow the minority group a chance to preserve their language and the unique cultural aspect they wish." <sup>33</sup>

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<sup>33</sup> Ken Whyte, "The Development of Curricula/Programs for Indian and Metis People," Canadian Journal of Native Education 9, no. 2 (Winter, 1982): 21-29.

## CHAPTER V

### CONCLUSION

About forty thousand years ago, native Americans began their settlement of what is today Canada. Along with economic and political developments, their educational system also gradually evolved. Contact with Europeans disturbed this natural development process and forced the native people to face grave new challenges. For them, the problem of how to rebuild their native educational system has become a major issue. Meanwhile, since the beginning of contact with native Americans, Europeans and their descendants have been facing the problem of how to deal with the relationship between these two cultural groups. Trying to understand and settle this problem has been a long-term concern and the goal of all Canadian legislation dealing with Indians and all Indian administrations. Historically, European culture and social values, especially their policy making over Indian affairs, greatly affected Indian culture, including education.

It is not surprising that Indian education was a major concern of both the Canadian government and the native peoples. For the native people, education is the only way they can preserve both their cultural tradition and civilization. For the majority government, education is the main way to assimilate the natives into the mainstream of Canadian society. To reach this goal the Canadian federal

government has initiated different policies towards native education since Confederation. Yet, the main principle of their policy making--assimilation--did not change until the early 1970s when the federal government began a direct dialogue with natives across the country and accepted the idea of "Indian control of Indian education" as the new policy guideline. However, the means of putting this idea into practice became the focal point of national political life in the past two decades. Often, different groups--governments, missionaries, majorities, and minorities had different ideas. While people debated this topic, Indian education entered into a new era. In theory, Indian control of Indian education became a major part of Canadian educational policy guidelines and accepted by most of Canadian society. In practice, parallel survival schools and integrated schools have given the native people greater choice concerning their culture preservation and educational development.

There are still contradictions in Indian education policy making and its administration. Yet, progress has been made and likely will continue. No doubt, the future of Canadian Indian education will lead to great changes in other aspects of their life.



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Ms. Yang is a co-author of a book, Modern History of the World, and the author of several articles focusing on world history. She is also the translator of several books which introduced to Chinese readers new information on history studies by western scholars. She is a member of National Association of Canadian Study of China, a member of Association of Research on Modern History of the World, a member of National Association of World Nationalities, and a member of PHI ALPHA THETA, an international history honorary society.